

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRR-3828 of 2013 (O&M)
Date of decision: 17.10.2016

Aarti Devi

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Shubhankar Baweja, Advocate for
Mr. Sanjeev Kodan, Advocate for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana.

Mr. Vikram Singh, Advocate
for respondent Nos. 2 to 5.

Jitendra Chauhan, J. (Oral)

By filing the present criminal revision, the petitioner-complainant has assailed the judgment dated 16.01.2013, passed by Addl. Sessions Judge, Karnal, vide which, the appellants/ accused (respondents No.2 to 5 herein), were released on probation by upholding the conviction of respondents No.2 to 5 in FIR No.142 dated 06.07.2005, registered under Sections 323, 324, 325, 452 read with Section 34 IPC, at Police Station Sadar, Karnal.

Heard.

The learned first Appellate Court has recorded valid and

sufficient reasons for releasing the appellants/accused (respondents Nos. 2 to 5 herein), on probation upon furnishing probation bonds in the sum of Rs.20,000/- each. The appellants/accused (respondents No.2 to 5 herein) were convicted by the JMIC for a period of two years. The learned Addl. Sessions Judge after considering the fact that the occurrence took place on 06.07.2005 and till, January, 2013, no untoward incident took place after the incident, that the appellants/accused were first offenders and they have no criminal record and the fact that the learned Magistrate has not given any reason for not considering the case of appellants for probation, has rightly released the accused/appellants on probation. The State has not preferred any appeal or revision.

Keeping in view the fact that the respondent Nos.2 to 5 have not misused the concession granted by the learned trial Court, no case for interference in the well reasoned judgment is made out. Moreover, there is an unexplained delay of 263 days in filing the instant revision petition. There are no sufficient grounds to condone the delay.

Dismissed as being time barred as well as on merit.

17.10.2016

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(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No