

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

CRR No.1213 of 2014 (O&M)

Date of decision: 26.02.2016

Om Parkash

.....Petitioner

versus

State of Haryana and others

.....Respondents

CORAM: Hon'ble Mr.Justice Kuldip Singh

Present: Mr.Sunil Saharan, Advocate for the petitioner
Ms.Supriya Arora, Asstt. A.G. Haryana
Mr.Ravi Malik, Advocate for
Mr.Sandeep Goyat, Advocate for respondent Nos.2 to 4

1. *Whether Reporters of Local Newspapers may be allowed to see the judgment ?*
2. *To be referred to the Reporters or not ?*
3. *Whether the judgment should be reported in the Digest?*

Kuldip Singh, J. (Oral)

Impugned in the present revision is the judgment dated 4.3.2014, passed by the learned Sessions Judge, Hisar, vide which appeal filed by the complainant against the judgment of conviction dated 30.3.2013 and order of sentence dated 2.4.2013, passed by learned Judicial Magistrate 1st Class, Hisar was dismissed.

The trial Court convicted the accused for commission of offence punishable under Sections under Sections 325, 323 read with Section 34 IPC but released them on probation. It also awarded the compensation to the tune of Rs.5000/- to the petitioner.

Perusal of judgments of both the Courts below show that

after the conviction, the trial Court exercised the discretion keeping in view the nature of injuries, to grant the benefit of probation to the accused as they were first offenders. There were three injuries on the person of the complainant / petitioner. One injury on the *Pinna* was grievous in nature and other two injuries were red abrasions.

In these circumstances, it cannot be said that the discretion to release the accused on probation was illegally exercised. The compensation of Rs.5000/- has been awarded which is also considered sufficient in the given circumstances.

No ground is made out to interfere.

The revision petition stands dismissed.

26.02.2016
gk

(Kuldip Singh)
Judge