

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

CRR No.1253 of 2016 (O&M)

Date of decision: 10.05.2016

Rampat

.....Petitioner

versus

State of Haryana

.....Respondent

CORAM: Hon'ble Mr.Justice Kuldip Singh

Present: Mr.Zorawar Singh and Mr.Gulshan Nandwani,
Advocates for the petitioner
Mr.Naveen Sheoran, DAG Haryana

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)

Petitioner Rampat has been convicted under Section 324 IPC and sentenced to under rigorous imprisonment for one year and to pay a fine of Rs.1000/-, in default thereof, to further undergo simple imprisonment for 30 days by learned Additional Sessions Judge, Rewari vide judgment dated 23.2.2016 in appeal against the judgment of conviction dated 25.2.2014 and order of sentence dated 26.2.2014 passed by learned Judicial Magistrate 1st Class, Rewari. Initially he was convicted under Sections 323, 324, 506 and 341 read with Section 34 IPC by learned Judicial Magistrate 1st Class, Rewari.

Notice of motion was issued on the quantum of sentence

only.

The perusal of judgment shows that only one sickle blow was attributed to Rampat petitioner given on the back of Rambir. Statement of the doctor produced at the time of arguments shows that it was superficial incised wound. As there is no previous conviction against the petitioner, therefore, in these circumstances it is a fit case, where the petitioner should be given a chance to reform himself.

Accordingly, while maintaining the conviction of the petitioner under Section 324 IPC, the order of sentence is set aside and instead he is ordered to be released on probation on furnishing probation bonds under Section 4(1) of the Probation offenders Act, 1958 for the period of one year in the sum of Rs.20,000/- with one surety of the like amount with an undertaking to maintain peace and be of good behaviour, failing which, he shall surrender before the trial Court to undergo the remaining sentence. The fine of Rs.1000/- paid by the petitioner shall be converted into costs payable to the State.

The revision is accordingly, partly allowed and partly dismissed.

10.05.2016*gk***(Kuldip Singh)
Judge**