

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

**CRR-2519 of 2015 (O&M)
Date of decision : 15.01.2016**

Phul Chand and another Petitioners

Versus

State of Punjab Respondent

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Deepak Aggarwal, Advocate, for
for the petitioners.

Mr. Aashish Sangh, DAG, Punjab.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter 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 06.07.2015 passed by learned Additional Sessions Judge, Bathinda affirming judgment of conviction and order of sentence dated 24.05.2014 passed by Learned Judicial Magistrate, 1st Class, Bathinda. At the time of motion stage, notice was issued only on the ground for reduction of sentence and for releasing the petitioner on probation.

I have heard learned counsel for the parties and have also carefully gone through the file.

It comes out that the present petitioners were convicted by the Judicial Magistrate, 1st Class, Bathinda and sentenced to undergo 3 years and to pay a fine of ₹1000/- each or in default further undergo simple imprisonment for 15 days under Section 325

read with Section 34 IPC and further sentenced to undergo R.I. for one year under Section 323 read with Section 34 IPC. Learned Additional Sessions Judge, Bathinda vide judgment dated 06.07.2015 maintained the conviction. However, keeping in view the lengthy trial faced by the accused before the trial Court, the sentence awarded under Section 325 read with Section 34 IPC was reduced from 3 years to 1 year and remaining sentence was asked to be maintained. In this case, the grievous injury is on the shoulder of the victim causing fracture.

Keeping in view the sentence and the period spent by them, the sentence under Section 325 read with Section 34 IPC and 323 read with Section 34 IPC is ordered to be reduced from 1 year to 10 months each.

With these modifications, the present revision is dismissed.

January 15, 2016
Dinesh

(KULDIP SINGH)
JUDGE