

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

CRR No.3700 of 2015 (O&M)
Date of Decision: May 02, 2016

Dheera @ Randhir Singh **Petitioner**

VS.

State of Punjab **Respondent**

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. Aseem Kataria, Advocate for the petitioner.

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 petition is the judgment dated 07.07.2015 passed by learned Addl. Sessions Judge, Fazilka, affirming the judgment of conviction and order of sentence dated 23.10.2013 passed by Judicial Magistrate 1st Class, Jalalabad and convicted and sentenced as under:

Sr. No.	Offence	Sentence	Fine	In default of fine
1	326 IPC	3 years R.I.	2,000/-	1 month R.I.
2	324	2 years R.I.	--	--
3	323	6 months R.I.	--	--

All the substantive sentences were directed to run concurrently.

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

A perusal of the judgments of both the courts below shows that earlier there was dispute between the present petitioner-

accused and Shinder Singh, brother of the complainant-Gurmukh Singh. A talk for compromise was going on and the accused-petitioner suspected that Gurmukh Singh is creating problem in the compromise. Therefore, when the complainant and his wife Rano Bai were returning from the house of village Sarpanch on 24.09.07 at about 2.30 p.m., accused-petitioner assaulted them with *gandasi*. The copies of the MLRs show that as many as seven injuries were there on the person of Rano Bai. Out of which, one injury on the left thumb was found to be grievous in nature. One of the injuries was on the left side of the abdomen. The other injuries were on the left ear, right shoulder, left elbow and left forearm, right scapular. Gurmukh Singh, complainant himself suffered six injuries. Out of which, one injury was on the upper part of the left thigh, which was found to be grievous in nature. The other injuries were incised wound on the left forearm, left side of the forehead and right clavicle, diffuse swelling on the right knee and lacerated wound in the web of PL thumb.

The nature of the injuries shows that complainant Gurmukh Singh and his wife Rano Bai were given sound beatings with the help of *gandasi*. In this case, only one accused was there. The motive was also there. Both the injured supported the prosecution case. Thus, there is no ground to interfere in the findings recorded by both the courts below. So far as the sentence of imprisonment is concerned, keeping in view the number of injuries given to both the injured, I do not find any ground to reduce the sentence of imprisonment as well.

Accordingly, the present revision petition stands dismissed.

May 02, 2016
sarita

(KULDIP SINGH)
JUDGE