

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

**Criminal Revision No.2753 of 2016 (O&M)
Date of Decision : 06th September, 2016**

Ramanand and another

..... Petitioners

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Sukhwinder Singh Nara, Advocate
for the petitioners.

Mr. Sandeep Vashisth, DAG, Haryana
for the respondent(s)-State.

Mr. Paramjit Singh Sullar, Advocate
for the complainant.

AJAY TEWARI, J. (Oral)

Petitioners have preferred the instant petition against the concurrent conviction under Sections 323 and 325 read with Section 34 IPC.

On 05.08.2016, this Court passed the following order:-

“Learned counsel has argued that he would not press this petition on merits but there is definitely a case to be made out in favour of the petitioners for releasing them on probation.

Notice of motion for 06.09.2016.”

Learned counsel for the complainant has fairly stated that in case each of the petitioner give Rs.40,000/- to the complainant, he would have no objection to release them.

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Custody certificates filed by way of affidavit of Vishal Chibbar, Deputy Superintendent, Central Jail, Ambala, are taken on record. As per said custody certificates, each of the petitioners has already undergone 03 months and 05 days of actual sentence. Custody certificates also shows that they are not involved in any other case.

In my opinion, it would be appropriate if the statement made by the counsel for the complainant is accepted.

Consequently, each of the petitioners are directed to pay Rs.40,000/- to the complainant and their sentence would be reduced to the period which they have already undergone. Let them be released. The petitioners are directed to make payment to the complainant within a period of one month from the date of their release. In case, the payment is not made, the instant revision petition shall be treated as dismissed and the petitioners shall be liable to serve the remaining period of sentence.

Accordingly, the instant petition stands dismissed.

06th September, 2016

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**(AJAY TEWARI)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No