

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CRR No.3922 of 2014 (O&M)
Date of decision: January 08, 2016.

Chander Bhan

... **Petitioner**

v.

State of Haryana and others

... **Respondents**

CORAM: **HON'BLE MR. JUSTICE KULDIP SINGH**

Present: Mr. Vijay Saini, Advocate for
Mr. Rakesh Nehra, Advocate for the petitioner.

Mr. Yashwinder Singh, Dy, Advocate General, Haryana.

Mr. Dinesh Arora, Advocate for respondents No.2 to 9.

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

Kuldip Singh, J. (Oral):

CRM-37229-2014

For the reasons mentioned in the application, the same is allowed and delay of 22 days in filing the accompanying revision petition is condoned.

CRR-3922-2014

Chander Bhan, who was complainant in the case State v/s Om Parkash etc. bearing FIR No.317 dated 11.11.2007 under Sections 323, 325, 452 read with Section 34 IPC, Police Station Bahadurgarh has filed this revision against the judgment dated

10.6.2014 passed by learned Additional Sessions Judge, Jhajjar vide which, in the appeal filed by the accused against their conviction and sentence for offence punishable under Sections 323, 325, 452 read with Section 34 IPC, the accused-appellant were released on probation under Section 4 of the Probation of Offenders Act, 1958 for a period of six months on furnishing probation bonds of Rs.1.00 lac with one surety, undertaking to keep peace and to be of good behaviour. Additional costs of Rs.25,000/- each were imposed upon the appellants as a token of compensation payable to the victim-complainant.

The complainant is aggrieved of the fact that though the accused were sentenced by the learned Judicial Magistrate 1st Class, Bahadurgarh but the appellate court has released them on probation.

In this case, conviction was awarded under Sections 323, 325 and 452 IPC. The first appellate court has recorded reasons for granting the probation. It was the discretion of the court, which has been exercised. Therefore, in revision, this Court does not find any reason to interfere in the discretion exercised by the first appellate court.

Dismissed.

January 08, 2016.
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[Kuldip Singh]
Judge