

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

CRR No.4122 of 2015 (O&M)

Date of decision: 05.04.2016

Jatinder Singh

.....Petitioner

versus

Subhash Chander and others

.....Respondents

CORAM: Hon'ble Mr.Justice Kuldip Singh

Present: Mr.Aakash Juneja, Advocate for
Mr.D.S.Brar, 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)

The complainant has filed this revision against the order dated 14.9.2015, passed by learned Additional Sessions Judge, Fazilka, whereby while upholding the judgment of conviction against the respondents under Section 323 and 148 IPC, the respondents were released on probation.

Heard.

Learned counsel for the petitioner contends that the petitioners are previous convicts. However, the perusal of judgments of both the Courts below shows that it was never pleaded or argued before both the Courts below that there is any conviction against the respondents. Needless to say that the said conviction, if any, was not

proved before the lower Court. Therefore, the sentence was only Simple Imprisonment for six months.

It being so, there is no illegality or infirmity in the impugned judgment of learned Additional Sessions Judge, Fazilka releasing the accused on probation.

The revision is found to be without any merits and is hereby dismissed.

05.04.2016

gk

**(Kuldip Singh)
Judge**