

CRR No. 987 of 2015

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

CRR No. 987 of 2015

Date of Decision: November 15, 2016

Vikram

...Petitioner

Versus

Naresh Kumar & others

...Respondents

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. J.P. Sharma , Advocate
for the petitioner.

Mr. Pawan Garg, AAG, Haryana.

JITENDRA CHAUHAN, J. (Oral):

This revision is directed against the order dated 01.12.2014 passed by Sessions Judge, Narnaul, vide which, respondent Nos.1 to 3 were released on probation for a period of one year on furnishing their bonds in the sum of ₹ 25,000/-, under Sections 323 and 325 read with Section 34 of the Indian Penal Code (for brevity 'the CPC').

It is contended by the learned counsel for the petitioner that the Court of Sessions Judge, Narnaul, has rightly convicted respondent Nos. 1 to 3 under Sections 323 and 325 read with Section 34 of IPC. However, it fell in error in releasing the respondents on probation. It is further contended that the complainant received injuries on his person

and the release of respondent Nos. 1 to 3 on probation, is not justified in the present case.

Heard.

The Court of Sessions Judge while releasing respondents No. 1 to 3 on probation has observed that the respondents who are the first offenders; had faced the agony of criminal proceedings for 7 years; they had no criminal background. It has come on record that the parties are residing in the same vicinity. For the injuries suffered by the complainant, he has been duly compensated by way of compensation of ₹ 30,000/- to be paid by the accused. The period of probation has already expired. This Court is of the opinion that if, at this stage, respondent Nos. 1 to 3 are sent behind the bars, it will not be in the interest of the parties, rather, the same will generate hostility among them for all times to come. The burying of hatchet is in favour of the parties. No fault can be found with the well reasoned judgment of learned First Appellate Court. Consequently, in this view of the matter, the present revision petition is dismissed.

November 15, 2016

Nisha-I

**(JITENDRA CHAUHAN)
JUDGE**

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No