

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

CRR No.528 of 2016 (O&M)

Date of decision: 27.05.2016

Brijesh

.....Petitioner

versus

State of Haryana

.....Respondent

CORAM: Hon'ble Mr.Justice Kuldeep Singh

Present: Mr.Ashok Kaushik, Advocate for the petitioner
Mr.Satish Saini, DAG Haryana

- 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?*

Kuldeep Singh, J. (Oral)

Present petitioner was convicted by learned Additional Chief Judicial Magistrate, Palwal vide judgment of conviction and order of sentence dated 22.4.2014 and sentenced to maximum imprisonment for Rigorous Imprisonment for two years under Section 326 read with Section 34 IPC in addition to fine.

Allegations against the petitioner are that he along with another co-accused attacked the complainant with knives and inflicted seven injuries which are on the forehead, thigh and waist. One of the injuries on the abdomen was found to be grievous in nature.

Learned counsel for the petitioner contends that the petitioner is not a previous convict. During trial, the petitioner had denied the attribution of grievous injury to him. He has been convicted with the aid of Section 34

IPC. Therefore, taking into consideration the entirety of circumstances, sentence of Rigorous Imprisonment of two years under Section 326 read with Section 34 IPC is reduced to one year. Sentence of fine is maintained. Sentence passed under Sections 323 and 324 read with Section 34 IPC is also maintained.

With this modification, the revision is dismissed.

27.05.2016
gk

(Kuldip Singh)
Judge