

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRA-S-2035-SB-2017 (O&M)

Date of decision: 25.10.2017

Madan Lal

...Appellant

Versus

Darshan Lal and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Nagar Singh, Advocate for
Mr. Amarjit Singh Virk, Advocate for the appellant.

Mr. Shivam Grover, Advocate for the respondents.

ARVIND SINGH SANGWAN, J. (ORAL)

Challenge in this appeal is to the judgment dated 18.02.2017 vide which, the lower Appellate Court while upholding the conviction of respondents-accused under Sections 323, 324, 325, 452 and 506 IPC read with Section 34 IPC has reduced the sentence by releasing them on probation on furnishing probation bonds in a sum of Rs. 21,000/- each with one surety for a period of three years.

Learned counsel for the appellant has restricted his argument that while releasing the respondents-accused on probation, no compensation was awarded to the appellant/injured person who is stated to have suffered 7 injuries including two incise wounds.

Learned counsel appearing on behalf of the respondents has fairly stated that he is ready to pay compensation of Rs.19,000/- to the appellant.

Accordingly, this appeal is partly allowed. The judgment dated 20.02.2017 passed by the Additional Session Judge releasing the respondents on probation for a period of three years on furnishing their

probation bonds in a sum of Rs.21,000/- each in a like amount to the satisfaction of the Court subject to the condition that they shall maintain harmony and peace and shall not engage in any type of criminal activity and further in case of breach of terms and conditions on probation bonds, they will be bound to appear before the trial Court for suffering the remaining sentences as awarded to them, is upheld. However, the fine of Rs.19,000/- which was ordered to be treated as costs is ordered to be paid as compensation as per Section 357 Cr.P.C., to the appellant/victim. The respondents-accused are further directed to pay an amount of Rs.21,000/- as additional compensation over and above the amount of Rs.19,000/-, to be deposited in the trial Court on or before 15.12.2017. The trial Court will release the aforesaid amount of Rs.40,000/- in favour of the appellant/complainant with the aforesaid modification.

This appeal is disposed of.

(ARVIND SINGH SANGWAN)
JUDGE

25.10.2017

Divyanshi

Whether speaking/reasoned
Whether reportable

Yes / No
Yes / No