

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

**CRM NO. M-44069 OF 2015 (O&M)
DECIDED ON : 01.08.2017**

Joginder Singh alias Fauji

...Petitioner

versus

Bhupinder Singh and others

...Respondents

CORAM : HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present : Mr. H. S. Dhindsa, Advocate,
for the petitioner.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is challenging the orders passed by the trial Court as well as appellate Court to the extent of releasing the respondents on probation, after convicting them in FIR No. 99 dated 05.07.2009 under Sections 323/341/506/149 IPC registered at Police Station Dakha.

The petitioner had lodged FIR alleging therein that he had been beaten up by the accused/respondents. The trial Court, after recording the statements of witnesses as well as going through the medico-legal report, had convicted the accused under Sections 323/341/506/149 IPC (all the accused were acquitted under Section 148 IPC) and directed them to be

released on probation for a period of one year vide order dated 15.02.2013. The revision preferred by the petitioner there against to the extent of releasing the accused/respondents on probation, has been dismissed by the appellate Court vide order dated 20.08.2015 (Annexure P-3). It was observed that the accused/respondents had already furnished probation bonds for a period of one year which were accepted by the trial Court and the said period of one year had already elapsed and the respondents had not contravened any condition of the probation bonds.

Learned counsel for the petitioner contends that the Courts below have erred in directing the release of respondents on probation after holding them guilty of the aforementioned offences.

Heard.

The respondents were convicted of the offences under Sections 323/341/506/149 IPC and were ordered to be released on probation. It is not the case of petitioner that conviction of the respondents was such which would debar them from being extending the benefit of release on probation. The probation bonds had been accepted for a period of one year by the trial Court and consequently the revision there against on expiry of said period, has rightly been dismissed by the appellate Court. Even otherwise, I do not find any illegality in the orders passed by the Courts below directing the release of respondents on probation.

In view of the aforementioned facts and circumstances, the instant petition is dismissed.

(ANUPINDER SINGH GREWAL)
JUDGE

AUGUST 01, 2017
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1. Whether speaking/reasoned : YES/NO
2. Whether reportable : YES/NO