

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

**CRR No.1619 of 2014  
Date of Decision:23.01.2017**

**Dharampal**

**.....Petitioner**

**Vs.**

**State of Haryana**

**.....Respondent**

**CORAM: HON'BLE MS. JUSTICE RITU BAHRI**

**Present:-** Mr.S.K.Kaushik, Advocate, for the petitioner.

Ms.Mahima Yashpal, AAG, Haryana.

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**RITU BAHRI, J. (ORAL)**

The petitioner has come up in the revision against the order of learned JMIC, Kaithal dated 25.02.2014/26.02.2014, and against the order dated 28.04.2014 passed by learned Additional Sessions Judge, Kaithal, whereby petitioner was convicted for one year for the offence punishable under Section 354 and 506 of IPC.

The present FIR was registered on the statement of complainant-Indro Devi to the effect that on 24.10.2009 at about 8:30 p.m., she was present in her house, petitioner entered into her house and asked for her father. Upon this, complainant said that her father was not present at home. Thereafter at about 8:00 O'clock, she was present at her house than petitioner forcibly entered in her house and tried to outrage her modesty. Complainant raised an alarm. On hearing the noise, complainant's brother and aunt came there and on seeing them petitioner-Dharampal fled away from the spot. Thereafter, investigation was set into motion.

After presentation of challan, the petitioner was charge-sheeted

for the commission of offence punishable under Section 354, 506 IPC and statement of prosecution witnesses was recorded under Section 313 Cr.P.C. Complainant-Indro Devi in her examination had deposed that petitioner forcibly entered into her house and tried to outrage her modesty. PW-2 Nirmala had also supported the version of the complainant and PW-3 i.e. Investigating Officer deposed that on completion of investigation challan was prepared against the petitioner. Thereafter, petitioner was convicted and sentenced to undergo for 1 year for the said offence.

Learned counsel for the petitioner submits that he is not challenging the conviction and only restricts his prayer to quantum of sentence. The incident took place in the year 2009 and trial is going on for last 7 years. As per custody certificate filed by the learned State counsel, he has undergone 4 months and 1 days including remission as on 22.08.2016 and he is not facing any criminal trial during the pendency of the petition.

Keeping in view the above, the present petition is disposed of and conviction of the petitioner for the said offences is reduced to the sentence already undergone by him. However, petitioner is directed to pay Rs.30,000/- as compensation to victim-Indro Devi before the trial Court within four weeks from the date of receipt of this order.

**(RITU BAHRI)**  
**JUDGE**

**23.01.2017**

*anil*

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| <i>Whether speaking/reasoned</i> | <i>Yes/No</i> |
| <i>Whether reportable</i>        | <i>Yes/No</i> |