

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CRR No.2180 of 2015
Date of Decision: 24.7.2017

Rambhaj

..Petitioner

versus

State of Haryana and others

..Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr. Bijender Dhankar, Advocate, for the petitioner.

RAMENDRA JAIN, J. (ORAL)

Prayer in the instant revision has been made for setting aside judgment dated 07.05.2015 passed by learned Sessions Judge, Sonipat, in appeal and judgment of conviction dated 06.02.2014 and order of sentence dated 07.02.2014 passed by the learned Sub Divisional Judicial Magistrate, Gohana. Further prayer was also made to sentence respondent nos. 2 to 4 suitably and the petitioner may be granted compensation.

Briefly stated, respondent nos. 2 to 4 were convicted in case FIR No.119 dated 25.7.2007 pertaining to Police Station Baroda, Tehsil Gohana lodged by petitioner Rambhaj under sections 323/506 read with section 34 IPC vide judgment dated 6.2.2014. However, vide order of sentence dated 7.2.2014, the learned trial court ordered to release them on probation of good conduct for one year with a direction to respondent nos. 2 to 4, to pay compensation of Rs.2500/- each, to the complainant.

Being dis-satisfied, respondent nos. 2 to 4 and complainant Rambhaj, preferred their respective appeals, which were dismissed vide

impugned judgment dated 07.05.2015 by the first appellate court at Sonipat.

Being aggrieved, complainant-Rambhaj has preferred the instant revision.

Learned counsel for the petitioner contends that the learned trial court and the learned first appellate court have erred in releasing respondent nos. 2 to 4 on probation without appreciating the gravity of offence committed by them. Both the learned courts below failed to appreciate that out of 10 injuries caused by respondent nos. 2 to 4 to the complainant, 03 were declared grievous in nature and thus, they ought not to have released respondent nos. 2 to 4 on probation. More so, adequate compensation was also not awarded to the complainant, in view of injuries suffered by him. Learned counsel for the petitioner lastly contended that the petitioner, at least, should have been granted adequate compensation.

After giving my thoughtful consideration to the submissions raised by learned counsel for the petitioner, I find that the instant revision petition is completely devoid of any merit for reasons to follow:-

- (i) The petitioner has already been granted compensation of Rs.7500/-, i.e., Rs.2500/- each to be paid by respondent nos. 2 to 4 by the trial court vide its order dated 07.02.2014 and the same has already been received by the petitioner through his counsel;
- (ii) Respondent nos. 2 to 4 have already faced protracted trial for around 08 years, i.e., 07 years before the trial court and 01 year before the appellate court.
- (iii) Learned counsel for the petitioner has not been able to advance fruitful arguments to convince this court on the

strength of which, the instant revision could be accepted.

In view of the discussion made above, the instant revision, being devoid of any merit, fails and is hereby dismissed.

24.7.2017
VK

(RAMENDRA JAIN)
JUDGE

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| 1. | Whether speaking/reasoned | Yes/No |
| 2. | Whether Reportable | Yes/No |