

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

**CRR-263-2015 (O&M)
Date of Decision : 25.10.2017**

Lovedeep Kaur

...Petitioner

Versus

Jaswant Kaur and another

...Respondents

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. B.D. Sharma, Advocate for the petitioner.

Ms. G.K. Mann, Advocate for respondent No.1.

Mr. Anmol Sandhu, AAG, Punjab.

JITENDRA CHAUHAN, J.

The petitioner is aggrieved against the impugned judgment dated 16.10.2014, passed by learned Sessions Judge, Amritsar, (for short, 'the appellate Court') whereby, respondent No.1 has ordered to be released on probation of good conduct for a period of one year and to pay ₹50,000/- as compensation to be given to petitioner. Earlier, learned Judicial Magistrate 1st Class, Amritsar, vide judgment and order dated 07.08.2013, convicted accused-respondent under Section 498-A IPC and sentenced her to undergo rigorous imprisonment for a period of 01 and to pay fine of ₹500/-, with default stipulation.

It is contended that the accused-respondent had been

convicted under Section 498-A IPC which is a serious offence, therefore, the relief of probation ought not have been extended to her. The sentence of 01 year rigorous imprisonment was already on the lower side. It is further averred that co-accused/husband of the petitioner did not face trial and was declared a proclaimed offender. Till date, he has not submitted himself to the process of law.

On the other hand, learned State counsel informs that the period of probation has already elapsed.

Heard.

From the perusal of the impugned judgment, it emerges that the accused-respondent is the mother-in-law of the petitioner. She was about 70 years of age at the time of passing of the impugned judgment. She has been facing the agony of protracted trial for more than 10 years. It is further to be noticed that vide impugned judgment dated 2014, learned Court below has ordered release of the respondent on probation of good conduct for a period of one year. The probation period has thus, elapsed. Learned counsel for the complainant-petitioner has failed to indicate any circumstance showing that the respondent had ever misused the concession of probation.

In the considered opinion of this Court, the learned appellate Court, after considering all the relevant facts and mitigating circumstances on record, has passed the impugned judgment, which

does not suffer from any perversity or illegality.

Accordingly, finding the present revision petition devoid of any merit, the same is ordered to be dismissed.

25.10.2017
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(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No