

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

CRR No.3017 of 2014 (O&M)

Decided on: 08.11.2017

Mehar Chand

....Petitioner

Versus

Khem Raj @ Khemi and others

....Respondents

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Ms. Amritar Nagpal, Advocate
for Mr. Lokesh Sinhal, Advocate
for the petitioner.

Mr. K.S. Khaira, Advocate
for respondent No.2.

Mr. Jagjot Singh, Advocate
for respondent No.3.

Mr. Naveen Sheoran, DAG, Haryana
for respondent No.4.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this revision petition is for setting-aside the order dated 17.04.2014 vide which, while convicting the respondents/accused under Sections 323 and 325 of the Indian Penal Code (in short 'IPC'), the trial Court released them on probation on furnishing bond in a sum of Rs.20,000/- as well as the judgment dated 08.07.2014 passed by the Lower Appellate Court dismissing the appeal preferred by the petitioner.

Counsel for the petitioner restricts her argument to the extent that while releasing the respondents/accused on probation, the compensation which was awarded by the trial Court @ Rs.3,000/- each is on lower side as it has come in evidence that the respondents/accused

have caused 03 injuries to the petitioner/injured out of which one injury was reported to be a fracture on a left knee.

Counsel for the petitioner has relied upon the judgment passed by this Court “*Mukhtiar Singh vs State of Haryana*”, 2007(3) **Law Herald 2189** and prays for enhancement of the amount of compensation. It is further submitted that the Lower Appellate Court while dismissing the appeal has not decided the same on merits and has rather dismissed the appeal on the ground of maintainability and, therefore, the present revision petition has been filed.

On the other hand, counsel for the respondents has submitted that the trial Court has rightly released the respondents/accused on probation and prays for dismissal of the present appeal.

Heard.

In view of the above, the present revision petition is partly allowed and the amount of compensation awarded by the trial Court is enhanced from Rs.3,000/- each to Rs.10,000/- each. The total amount of compensation of Rs.30,000/- will be deposited with the trial Court by the respondents/accused within a period of 03 months and the same will be disbursed to the petitioner/injured.

(ARVIND SINGH SANGWAN)
JUDGE

08.11.2017
yakub

Whether speaking/reasoned Yes/No

Whether reportable: Yes/No