

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

CRR-2217 of 2016 (O&M)
Date of decision: 30.01.2017

Nirmaljit Kaur

...Petitioner

Versus

Gurmeet Singh and another

...Respondents

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Abhimanyu Kalsy, Advocate for the petitioner.

Jitendra Chauhan, J. (Oral)

By filing the present criminal revision, the petitioner-complainant has assailed the judgment dated 03.09.2015, passed by Addl. Sessions Judge, Ferozepur, vide which, the appellants/ accused (respondents herein), were released on probation by upholding the conviction of respondents in FIR No.129 dated 17.05.2008, registered under Sections 323, 324, 325, 341, 427 read with Section 34 IPC, at Police Station Sadar, Ferozepur.

Heard.

The learned first Appellate Court has recorded valid and sufficient reasons for releasing the appellants/accused (respondents herein), on probation upon furnishing probation bonds in the sum of Rs.20,000/- each. The appellants/accused were convicted by the

learned JMIC for a period of 2½ years, vide judgment and order dated 23.02.2015. The learned Addl. Sessions Judge, after considering the fact that the occurrence had taken place on 15.05.2008 and thereafter, the accused had been facing trial; further bearing in mind their age, antecedents and other mitigating circumstances and the fact that the learned Magistrate had not given any reason for not considering the case of appellants for probation, has rightly released the accused/appellants on probation. The State has not preferred any appeal or revision thereagainst.

Keeping in view the fact that the respondents have not misused the concession granted by the learned trial Court, no case for interference in the well reasoned order is made out. Moreover, there is an unexplained delay of 167 days in filing the instant revision petition.

Dismissed as being time barred as well as on merits.

30.01.2017

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(JITENDRA CHAUHAN)
JUDGE

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