

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

CRR-4282 of 2014 (O&M)
Date of decision: 07.02.2017

Suresh

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Manoj Chahal, Advocate for the petitioner.

Jitendra Chauhan, J. (Oral)

By filing the present criminal revision, the petitioner has assailed the judgment dated 19.09.2014, passed by Addl. Sessions Judge, Bhiwani, vide which, the appellants/ accused (respondent Nos. 2 & 3 herein), were released on probation by upholding the conviction of respondents in FIR No.116 dated 23.03.2007, registered under Sections 323 and 325 read with Section 34 IPC, at Police Station Sadar, Bhiwani.

It is contended that the petitioner suffered grievous injuries at the hands of respondent Nos.2 & 3. He refers to the testimony of PW-7, Dr. Anil Kumar Sharma, who examined the injured and explained the injuries suffered by the petitioner and her wife. He further states that compensation awarded to the petitioner

and her wife for the injuries suffered by them, while granting the benefit of probation to the private respondents, is on the lower side.

Heard.

The parties being neighbours have been residing in immediate proximity of each other. The incident pertains to the year 2007. After considering all aspects of the matter, 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 period of probation came to an end in the month of September, 2016. The learned counsel for the petitioner has not been able to refer to any incident or circumstance indicating the misuse of concession of probation by the private respondents. There is no evidence on record with regard to expenses suffered by the petitioner towards the treatment. The learned first Appellate Court has already granted Rs.50,000/- in equal shares to the petitioner and her wife in addition to the amount already awarded by the trial Court. Considering the fact that the parties have been residing in immediate vicinity, this Court feels that it will be in the larger interest of the parties in case the impugned judgments are not interfered with as the same would revive the hostilities between the parties after lapse of more than a decade. 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.

Dismissed.

07.02.2017
sumit.k

(JITENDRA CHAUHAN)
JUDGE

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