

224 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Hemlata
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CRR-3158-2016(O&M)

Date of decision:06.02.2017.

Vineet

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Ashish K. Gupta, Advocate
for the petitioner.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this revision petition is for setting aside the judgment dated 15.07.2014 passed by the trial Court, convicting the petitioner under Section 323 of IPC and sentencing him to pay a fine of Rs.1,000/- as well as the judgment dated 27.04.2016 passed by the Appellate Court, dismissing the appeal of the petitioner qua the conviction of the petitioner under Section 323 of IPC, however, released the petitioner on probation subject to furnishing his bail/surety bond.

Counsel for the petitioner submits that the petitioner is 28 years of age and is not a previous convict. It is further submitted that the petitioner is not involved in any other case and has never misused the concession of bail when he was on bail during the trial or during the appeal before the Lower Appellate Court. Counsel for the petitioner has further submitted that the impugned judgments passed by the Courts below, convicting the petitioner under Section 323 of IPC and releasing him on probation will effect his service career. Counsel for the petitioner has relied upon the judgment of this Court 2011(2) R.C.R. (Criminal) 855 Paramjit Singh Vs. State of Haryana, wherein, this Court has held that in view of the provisions of Section 12 of the Probation of Offenders Act if a convict

is released on probation, it may not effect his service career.

Counsel for the petitioner further submits that since the petitioner has been convicted under Section 323 IPC, the order of his conviction will effect his service career and he may not be able to get a Govt. job or any other such facility where a person is prohibited on account of his conviction in a criminal case.

After hearing learned counsel for the petitioner and in view of the *Paramjit Singh's case* (supra), it is clarified that the impugned judgment dated 15.07.2014 and 27.04.2016 passed by the Courts below, releasing the petitioner on probation, may not effect his service career in view of Section 12 of the Probation of Offenders Act.

With the aforesaid modification, this revision petition is disposed of.

(ARVIND SINGH SANGWAN)
JUDGE

06.12.2017

Hemlata

Whether speaking/reasoned
Whether reportable

Yes / No
Yes / No