

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

CRR-5033-2015 (O&M)
Date of decision : 22.02.2017

SURJIT KAUR

...Petitioner

Versus

HARNEK SINGH AND ORS.

...Respondents

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present : Mr. Harsh Manocha, Advocate for the petitioner (s).

Mr. Parveen Kumar, Advocate for
Mr. Harsh Aggarwal, Advocate
for respondent Nos.1 and 2.

Mr. Deepak Garg, AAG, Punjab

JITENDRA CHAUHAN, J. (Oral)

This petition has been filed against the impugned judgment dated 19.10.2015, passed by learned Addl. Sessions Judge, Sangrur, whereby respondent Nos.1 and 2 were released on probation in criminal complaint No.59 dated 09.11.2015/B.T. No.50 of 11.03.2008 filed under Sections 420, 467, 468, 471 and 120-B of the Indian Penal Code (for short 'the IPC') read with Section 149 IPC.

The learned counsel for the petitioner states that learned Addl. Sessions Judge has passed the impugned judgment without considering the entire facts and circumstances of the case. After releasing respondent Nos.1 and 2 on probation, they again made an attempt to threaten the petitioner and to grab her land, regarding which, she filed a representation (Annexure

P-2).

On the other hand, the learned State counsel and learned counsel for respondent Nos.1 and 2 state that learned Addl. Sessions Judge, Sangrur has rightly passed the impugned judgment considering that respondent Nos.1 and 2 are time first offenders and that an opportunity should be granted to them to become a noble citizen, instead of putting them behind bars in the company of hard core criminals.

I have heard the rival contentions of both the parties and perused the record of the case on the file.

Learned Addl. Sessions Judge, Sangrur has passed the impugned judgment by taking a lenient view in favour of respondent Nos.1 and 2 as they were first time offenders. There is no allegation of violation of the terms and conditions of the requisite bonds during the probation period.

In view of above, the order passed by learned Additional Sessions Judge Sangrur, is in accordance with law and cannot be termed to be illegal, arbitrary and against the facts proved on record in the given set of circumstances, which is hereby affirmed.

Accordingly, the instant revision is hereby dismissed.

22.02.2017

ashok

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned: Yes / No

Whether reportable: Yes / No