

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR No. 2750 of 2017 (O/M)
Date of decision : 4.9.2017

Avtar Singh and others Revisionists
Versus
State of Haryana Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Dr. Parveen Hans, Advocate, for revisionists.
Mr. Pawan Garg, Assistant A.G. Haryana.
1. Whether the Reporters of local newspaper may be allowed to
see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?
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KULDIP SINGH J. (ORAL)

Heard.

All the eight revisionists have been convicted by the learned Sub Divisional Judicial Magistrate, Hansi, under Sections 148, 323 read with Section 149 IPC and were sentenced to undergo simple imprisonment for six months each for offence punishable under Section 323 read with Section 149 IPC, vide judgment of conviction dated 28.8.2014 and order of sentence dated 29.8.2014. They were also sentenced to undergo simple imprisonment for one year each and to pay a fine of Rs. 500/- each, in default thereof to further undergo simple imprisonment for seven days each, for offence punishable under Section 148 IPC. The fine was paid. Accused Lal Singh was released on probation. The judgment of conviction and order of sentence was upheld by the learned Additional Sessions Judge, Hisar, vide judgment dated 4.7.2017.

Custody certificates of all the revisionists have been filed in Court today and same are taken on record, which show that revisionists have undergone little more than three months of imprisonment. There is no

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previous conviction, nor any trial is pending against the revisionists.

The learned counsel for revisionists has stated that since revisionists are first offenders, they should be released on probation. It is stated that the entire family is involved in the case. In this incident, three persons, namely, Rajender son of Ajit Singh, Ram Dhan and Jitender son of Darshan Singh were injured.

Considering that revisionists are the first offenders and the offences are under Sections 148, 323 read with Section 149 IPC, I am of the view that revisionists should be given a chance to reform themselves. Therefore, while maintaining their conviction, the sentence of revisionists is set aside and they are ordered to be released on probation, on furnishing probation bonds under Section 5 (1) of the Probation of Offenders Act, 1958 on executing probation bonds in the sum of Rs. 20,000/- each, for a period of one year, with an undertaking to maintain peace and harmony in the Society, failing which they shall undergo the sentence passed upon them. All revisionists are directed to pay jointly Rs. 5,000/- as compensation to each of the injured persons, namely, Rajender son of Ajit Singh, Ram Dhan and Jitender son of Darshan Singh. Since revisionists have been released on probation on furnishing probation bonds, for a period of one year, they be released forthwith, if not required in any other case, with a direction to execute probation bonds within two weeks from the date of their release. Hence, revision is allowed to the abovenoted extent.

(KULDIP SINGH)
JUDGE

4.9.2017
sjks

Whether speaking / reasoned : Yes

Whether Reportable : No