

215 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR No. 3963 of 2017 (O/M)
Date of decision : 16.11.2017

Satta Singh Revisionist

Versus

State of Punjab Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Sukhmeet Singh, Advocate, for revisionist.

Ms. Monika Jalota, DAG Punjab.

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)

Custody certificate filed in Court today and same is taken on record.

Revision has been pressed only on the quantum of sentence.

Revisionist has been convicted under Section 324 IPC and under Section 323 IPC read with Section 34 IPC and was sentenced by the learned Judicial Magistrate 1st Class, Faridkot, to undergo rigorous imprisonment for two years under Section 324 IPC and rigorous imprisonment for six months under Section 323 IPC read with Section 34 IPC, in addition to fine and default sentence, vide judgment of conviction and order of sentence dated 9.12.2014. However, the learned Additional Sessions Judge, Faridkot, vide judgment dated 26.9.2017, reduced the sentence of revisionist from rigorous imprisonment for two years to rigorous imprisonment for six months under Section 324 IPC. However, co-accused Dev Singh, Satta Singh son of Mukand Singh and Raju were released on

probation.

The perusal of judgment of lower Court shows that revisionist inflicted injury on the ring finger of right hand of victim, which was found to be simple in nature.

Considering the fact that the injury inflicted by revisionist was found to be simple in nature and that except revisionist, all the remaining accused were released on probation, there is no reason to decline the same benefit to revisionist. As per the custody certificate, revisionist is not a previous convict, nor any criminal case is pending against him. As such, while maintaining the conviction under Section 324 IPC as well as under Section 323 IPC read with Section 34 IPC, the sentences passed against him under these sections are set aside and revisionist is ordered to be released on probation under Section 5 (1) of the Probation of Offenders Act, 1958, on executing probation bond in the sum of Rs. 25,000/- with one surety of the like amount, for a period of one year, with an undertaking to maintain peace and be of good behaviour and not indulge in any criminal activities, failing which he will surrender before the trial Court to undergo remaining part of sentence. The probation will not be treated as disqualification attaching to conviction under Section 12 of the Probation of Offenders Act, 1958. Revisionist is also ordered to pay Rs. 8,000/- each as compensation to victims, namely, Kulwant Singh son of Manga Singh and Kulwinder Singh son of Wakil Singh. The fine is ordered to be converted into litigation costs and payable to victims. Revisionist be released forthwith, if not required in any other case. Probation bond be furnished within two weeks from the date of release.

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With the abovenoted modification in sentence, revision is
dismissed.

(KULDIP SINGH)
JUDGE

1611.2017
sjks

Whether speaking / reasoned	:	Yes
Whether Reportable	:	No