

CRR-1819 of 2009 (O&M)

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

CRR-1819 of 2009 (O&M)
Date of Decision: 06.08.2018

Anil Kumar

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Mr. Subhash Godara, Advocate, for the petitioner.
Mr. Vikramjit Singh, Addl. A.G., Haryana.

RAMENDRA JAIN, J. (ORAL)

Custody certificate filed in Court today is taken on record.

Through this revision petition challenge has been laid to judgment of conviction dated 24.04.2008 and order of sentence dated 25.04.2008 of the trial Court, whereby the petitioner has been held guilty and sentenced to undergo rigorous imprisonment for three years and pay fine of Rs.500/- for committing offence under Section 420 IPC. In default of payment of fine to undergo simple imprisonment for seven days and judgment dated 15.07.2009 of the First Appellate Court, whereby appeal preferred by the petitioner has been dismissed.

At the outset, learned counsel for the petitioner submits that he does not challenge this revision on merits and prays for taking a lenient view qua quantum of sentence.

Heard.

Petitioner has already faced protracted trial for 21 years. The sentence awarded to him is three years rigorous imprisonment. He is the first offender. In the opinion of this Court, no useful purpose would be

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served by keeping the petitioner in the company of hardcore criminals. Therefore, releasing him on probation seems to be best option to avoid tension and maintain peace and harmony between the parties. Accordingly, affirming the order of conviction of the petitioner, he is ordered to be released on probation of good conduct for one year on furnishing probation bonds and surety bond to the satisfaction of the trial Court. During the period of probation, petitioner shall continue to maintain good behaviour and keep peace. In case of breach of any of the conditions of the bond, he will be liable to serve the remaining part of the sentence as and when called upon to do so.

With the observations made above, present revision petition is disposed of with a direction that the petitioner, if in custody, be released immediately on furnishing of bonds as aforesaid, if not required in any other case.

August 06, 2018
R.S.

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No