

CRR-844 of 2013 (O&M)

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

CRR-844 of 2013 (O&M)
Date of Decision: 06.08.2018

Ramdev Gopal

....Petitioner

Versus

Banarsi and others

....Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: - Mr. Amaninder Preet, Advocate,
Legal-aid counsellor for the petitioner.
Mr. Akshay Jindal, Advocate, for respondents No.1 to 8.
Mr. Vikramjit Singh, Addl. A.G., Haryana.

RAMENDRA JAIN, J. (ORAL)

Through this revision petition challenge has been laid to judgment dated 06.08.2012 of the First Appellate Court, whereby judgment of conviction dated 18.11.2010 of the trial Court, holding respondents No.1 to 8 guilty under Sections 148, 323, 325 and 506 read with Section 149 IPC was upheld, but order of sentence dated 19.11.2010 was modified to the extent of granting probation to them.

Learned counsel for the petitioner contends that respondents No.1 to 8 had committed a heinous crime. Therefore, the First Appellate Court ought not to have released them on probation.

On the other hand, learned counsel for private respondents-accused refuting the above submission, contends that respondents are facing protracted trial since 2001, for the last 18 years. They are the first offenders. In these 18 years, they have not committed any other offence, nor they have been found indulged in any criminal activity.

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overall facts and circumstances, this Court does not find favour with the submissions made by learned counsel for the petitioner-complainant.

Therefore, petition is dismissed. Impugned order granting probation to respondents No.1 to 8 is upheld.

August 06, 2018
R.S.

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No