

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

CRR-1978-2017

Date of decision: 26.07.2018

Ishwar Singh**...Petitioner****Versus****State of Haryana****...Respondent****CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN**

Present: Mr. Rajesh K. Kataria, Advocate
for the petitioner.

Mr. M. S. Nagra, AAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

Challenge in this revision petition is to the impugned judgment of conviction dated 22.05.2013, passed by the trial Court, vide which the petitioner was held guilty for commission of offence punishable under Section 506 of the IPC and vide order of sentence dated 23.05.2013, he was awarded simple imprisonment for a period of 01 year and was ordered to pay a fine of ₹500/-; as well as the judgment dated 23.09.2016, passed by the Additional Sessions Judge, Hisar, vide which, while upholding the conviction of the petitioner, it was ordered that the petitioner be released on probation of good conduct for a period of 01 year on his furnishing requisite probation bond and on payment of compensation of ₹10,000/- to the complainant under Section 357 Cr.P.C.

Learned State counsel, at the very outset, has submitted that the petitioner and other accused/appellants, before the lower appellate Court, have stated in writing that they do not press the appeal qua the judgment of conviction and claimed leniency regarding quantum of sentence only. It is

also brought to the notice of this Court that in the light of the aforesaid written submission, made by the petitioner and other accused/appellants, the lower appellate Court had reduced the sentence of one year to releasing the petitioner on probation of good conduct, vide impugned judgment dated 23.09.2016.

Learned counsel for the petitioner, though, has tried to raise argument that the aforesaid submission made before the lower appellate Court was not on the instructions of the petitioner, however, nothing has been brought on record to show that the said submission was not made with the consent of the petitioner and in para No. 13 of the impugned judgment, the lower appellate Court has clearly noted that *“the appellants have made statement in writing that they did not press the appeal qua the judgment of conviction and were only claiming leniency regarding quantum of sentence.”* It is also worth noticing that the period of probation, as awarded by the impugned judgment dated 23.09.2016, is already over.

In view of the above, I find no ground to interfere in the impugned judgments passed by the Courts below.

The petition stands dismissed, accordingly.

July 26, 2018

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No