

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

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CRR No. 990 of 2017
Date of Decision: 20.09.2018

Darshan Kaur ...Petitioner

Versus

State of Punjab and others ...Respondents

CORAM:- HON'BLE MR. JUSTICE SUDHIR MITTAL.

Present:- Mr. Vikram Preet Arora, Advocate,
for the petitioner.

Mr. R.S. Bains, DAG, Punjab.

SUDHIR MITTAL, J. (Oral)

The petitioner is the complainant. On his complaint, FIR No.250 dated 10.11.2010 was registered at Police Station City Rajpura, under Sections 452, 323, 325, 506, 34 of IPC. The accused persons/respondents No. 2 and 3 were convicted vide judgment dated 02.09.2016 and were sentence as under:-

<i>Name of accused</i>	<i>Under Section</i>	<i>Imprisonment</i>	<i>Fine</i>	<i>In default</i>
Deepak Kumar Deepu @	452 read with Section 34 IPC	R.I. for three months		
	323 read with 34 IPC	R.I. for one month		
	325 read with 34 of IPC	R.I. for one year	Rs.500/-	SI for seven days
	506 read with 34 of IPC	R.I. for two months		
Sukhwinder Singh Sunny @	452 read with Section 34 IPC	R.I. for three months		
	323 read with 34 IPC	R.I. for one month		
	325 read with 34 of IPC	R.I. for one year	Rs.500/-	SI for seven days
	506 read with 34 of IPC	R.I. for two months		

The respondents No. 2 and 3/accused persons challenged the judgment of conviction and order of sentence and vide judgment dated 14.12.2016 the appeal was dismissed but sentence was modified and they were ordered to be released on probation for a period of one year.

Learned counsel for the petitioner submits that the offence has been proved and grievous injury was caused to the petitioner. Thus, the Appellate Court was not justified in modifying the sentence and releasing the accused persons on probation.

A perusal of the judgment of the Appellate Court shows that considering the nature of the offence, age and antecedents of the accused persons and the fact that they had undergone trial for five years, the sentence was modified.

Learned counsel for the petitioner has not been able to point out any error in the said finding. His only argument that the offence stands proved cannot be accepted because the learned Appellate Court has maintained the conviction. No argument has been raised regarding improper considerations having been relied upon for modifying the sentence.

Petition has no merit and is accordingly dismissed.

(SUDHIR MITTAL)
JUDGE

September 20, 2018
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Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No