

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

CRR No.3747 of 2018 (O&M)
Decided on:- November 16, 2018.

Tarsem Singh and others

.....Petitioners.

Versus

State of Haryana.

.....Respondent.

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.

Present:- Mr. Sandeep Singh, Advocate
for the petitioners.

HARI PAL VERMA, J. (ORAL)

The petitioners have filed present criminal revision impugning the judgment of conviction dated 18.11.2015 and order of sentence dated 20.11.2015 passed by learned Judicial Magistrate 1st Class, Assandh, District Karnal in case bearing FIR No.686 dated 29.11.2012 under Sections 323 and 325 read with Section 34 IPC registered at Police Station Assandh.

Challenge has also been laid to the judgment dated 20.08.2018 passed by learned Additional Sessions Judge, Karnal, whereby the appeal filed by the petitioners against the aforesaid judgment of conviction dated 18.11.2015 and order of sentence dated 20.11.2015 passed by learned Judicial Magistrate 1st Class, Assandh, District Karnal, was disposed of with modification in the order of sentence.

At the outset, learned counsel for the petitioners does not challenge the present criminal revision on merits and confines his arguments qua the extension of time to deposit the amount of compensation only, as awarded by learned appellate Court vide impugned judgment dated 20.08.2018.

Learned counsel for the petitioners has contended that petitioners No.2 and 3, namely, Ranjeet Singh and Ilam Singh have already been released on probation by learned trial Court vide impugned order of sentence dated 20.11.2015.

He further states that while maintaining conviction of the petitioners and disposing the appeal vide impugned judgment dated 20.08.2018, learned Additional Sessions Judge, Karnal had ordered for release of petitioners Tarsem Singh, Sandeep and Hardeep Singh on probation of good conduct on their furnishing probation bonds in the sum of Rs.25,000/- each with one surety for each in the like amount to the satisfaction of the appellate Court, subject to condition that they shall keep peace and tranquility and shall not commit any type of offence and be of a good behavior for a period of nine months and further they shall make payment of Rs.5,000/- each (total Rs.15,000/-) to injured Deepa and Rs.20,000/- each (total Rs.60,000/-) to injured Pushpa in the form of compensation as provided under Section 357 Cr.P.C. However, that amount was to be paid by the petitioners before the trial/successor Court within 15 days of the passing of the judgment i.e. on or before 04.09.2018.

He has further argued that the certified copy of the impugned judgment dated 20.08.2018 could be delivered to the petitioners only on 15.09.2018 as mother of the petitioner No.1 Tarsem Singh had died on 10.09.2018. Even prior to her death, she was constantly ill. He further states that no prejudice would be caused to the injured in case the time granted by learned appellate Court is extended enabling the petitioners to pay the awarded compensation as provided under Section 357 Cr.P.C.

Having heard learned counsel for the petitioners and considering the fact that learned counsel for the petitioners has not challenged the present criminal revision on merits and, rather, has confined his arguments for extension of time to deposit the amount of compensation only, this Court finds that the submissions made by learned counsel for the petitioners carry some substance.

Accordingly, the present petition is disposed of with a direction that petitioners Tarsem Singh, Sandeep and Hardeep Singh are granted 15 days' time i.e. on or before 30.11.2018 to deposit the amount of compensation, as directed by learned appellate Court vide impugned judgment dated 20.08.2018.

November 16, 2018
Yag Dutt

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No