

CRR-2179 of 2011

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

CRR-2179 of 2011  
Date of Decision: 28.02.2019

Raja @ Shivraj and others

....Petitioners

Versus

State of Haryana

....Respondents

**CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN**

Present: Mr. Navkiran Singh, Advocate, for the petitioners.  
Mr. Raj Kumar Makkrar, Sr. DAG, Haryana.  
Mr. Rahul Vats, Advocate, for the complainant.

**RAMENDRA JAIN, J. (ORAL)**

Through instant revision, petitioners-accused have laid challenge to judgment dated 08.09.2011 of the Appellate Court, affirming the judgment of conviction dated 17.02.2009, holding all of them guilty under Sections 323, 324, 325 and 326 all read with Section 34 IPC and order of sentence dated 20.02.2009, sentencing them to undergo rigorous imprisonment for three months under Section 323/34 IPC each; to undergo rigorous imprisonment for one year and pay fine of Rs.1000/- each under Section 324/34 IPC, in default of payment of fine to undergo rigorous imprisonment for two months each; to undergo rigorous imprisonment for two years and pay fine of Rs.1000/- each under Section 325/34 IPC, in default of payment of fine to undergo rigorous imprisonment for two months each, besides, petitioners No.2 and 4, namely, Galia alias Gurmej Singh and Gurtej Singh, only to undergo rigorous imprisonment for three years and pay fine of Rs.2500 each under Section 326/34 IPC, in default of

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payment of fine to undergo rigorous imprisonment for three months.

At the outset, learned counsel for the petitioners contends that he does not challenge the conviction of the petitioners on merit, but prays for leniency in the matter of sentence as they are ready to compensate the complainant.

Heard.

Considering that out of total seven injuries, six are on non-vital part, but falling under Section 326 IPC and the fact that petitioners have already been made to suffer a protracted trial for 18 years, it would be appropriate to uphold the conviction of the petitioners and reduce their sentence to the already undergone, subject to payment of compensation of Rs.50,000/- to the complainant within month from today in cash before the trial Court.

Ordered accordingly.

Petitioners and complainant represented by their respective counsel, are directed to appear before the trial Court on 27.03.2019 for compliance of this order. It is clarified that in case of non-payment of above compensation by the petitioners to the complainant, this revision shall stand automatically dismissed and the trial Court shall issue arrest warrants of the petitioners to undergo remaining sentence.

Disposed of.

**February 28, 2019**  
R.S.

**(Ramendra Jain)**  
**Judge**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No