

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

CRR-3484-2017 (O&M)
Date of decision : 02.07.2019

Teja Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Raman Goklaney, Advocate for the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab.

Mr. A.P. Kaushal, Advocate for
Mr. R.K.S. Brar, Advocate for respondent Nos.2 to 4.

ANIL KSHETARPAL, J. (ORAL)

CM No.30827-2017

For the reasons stated in the application, which is duly supported by an affidavit, delay of 32 days in filing the present revision petition is condoned.

Application is allowed.

Main

This revision has been filed against the order passed by the learned Additional Sessions Judge, Ludhiana releasing the convict on probation while directing payment of compensation of ₹15,000/- to the victim-Teja Singh petitioner.

A reading of the order passed by the learned Additional Sessions Judge, Ludhiana establishes that compensation was paid to the petitioner in

Court and he accepted the sum by making a separate statement. Relevant part of the order reads as under:-

“Further, Balvir Singh, appellant, is directed to pay the compensation amount of Rs.15,000/- to Teja Singh complainant for causing injury to the complainant as compensation under Section 357 Cr.P.C. and which amount has been paid by Balbir Singh to complainant Teja Singh present in the Court and he received the same by making separate statement in this regard. It is pertinent to mention here that the trial Court has not considered the request of the appellants regarding their releasing of them on probation without any reason and if the trial Court was not willing to grant the relief of probation to the appellants. Then trial Court was required to pass the reasonable grounds for declining the accused persons for not releasing them on probation, but the same grounds have not been given by the trial Court for declining the request of appellants regarding their release on probation. The fine paid by the appellant/accused would be treated as costs of proceedings. Personal probation bond furnished attested and accepted.”

Keeping in view the aforesaid fact particularly when compensation has been duly paid by the convict and accepted by the petitioner, there is no ground to interfere in the order passed.

Accordingly, the present petition is dismissed.

02.07.2019

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No