

CRR-2368 of 2018

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

CRR-2368 of 2018
Date of Decision: 27.02.2019

Sultan Singh

....Petitioner

Versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr. Vishwajeet, Advocate, for the petitioner.

RAMENDRA JAIN, J. (ORAL)

Through instant revision, petitioner has laid challenge to judgment dated 08.12.2017 of the Appellate Court whereby it upheld the judgment of conviction dated 18.10.2014 and order of sentence dated 20.10.2014 in toto, holding respondents No.2 and 3 guilty under Sections 323, 324, 34 IPC and releasing them on probation.

In nutshell, private respondents were booked vide FIR No.236 dated 03.06.2006 under Sections 323, 324, 34 IPC on the allegations that in the evening of 27.05.2006, they attacked petitioner-complainant with sword and *gandasi*, which hit on his head and waist on the pretext that petitioner had spat in front of the house of Ram Kumar.

After holding trial, petitioners were convicted and released on probation as narrated above in the opening part of the judgment.

Being aggrieved, petitioner-complainant approached Appellate Court, but remained unsuccessful as his appeal too was dismissed vide

impugned judgment.

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Learned counsel for the petitioner *inter alia* contends that considering the nature of the injuries caused by the private respondents to the petitioner, both the Courts have erred in not awarding compensation to the petitioner-complainant.

Having given thoughtful consideration to the above submissions, this Court is not inclined to differ with concurrent findings of both the Courts below releasing the private respondents on probation inasmuch as impugned FIR was got lodged against them in the year 2006. For a minor offence they have already been made to suffer a protracted trial for around 11/12 years.

No question of law muchless substantial has been raised in this revision.

In revision, this Court has very limited power, which can only be exercised, (i) when the Courts below have acted beyond jurisdiction vested in them or (ii) have not exercised the same diligently and (iii) have exercised illegally. After going through the judgments of both the Courts below, this Court does not find any such infirmity, inasmuch as, they are well-reasoned and based on appreciation of evidence. Therefore, the same are not required to be interfered with.

I have gone through the impugned judgments and find no illegality or perversity in the same.

Dismissed.

February 27, 2019
R.S.

(Ramendra Jain)
Judge

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No