

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Revision No. 3285 of 2018 (O&M)

Babu Ram and others

.....Petitioners

versus

State of Haryana

.....Respondent

Crl. Revision No. 3454 of 2018 (O&M)

Subhan Singh

.....Petitioner

versus

State of Haryana

.....Respondent

Date of Decision: February 11, 2019

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTAL

Present: Mr. Rajinder Goyal, Advocate
for the petitioners

Mr. Deepak Grewal, DAG Haryana

Sudhir Mittal, J. (Oral)

The petitioners were convicted vide judgment of conviction dated 08.04.2015 under Sections 148, 323, 325, 506 read with Section 149 IPC and vide order of sentence of even date released on probation on furnishing personal bonds in the sum of Rs. 10,000/- each for the period of six months with an undertaking to maintain peace and be of good behaviour. The complainant preferred an appeal and vide judgment dated 17.07.2018, the learned Appellate Court upheld the order of probation and directed the accused to pay compensation of Rs. 50,000/- to the injured within a period of one month from the date of order, failing which, the probation order would be deemed to be set aside and the accused would be required to appear before the trial Court for receiving sentence. Thereafter, the petitioners filed an application before the Appellate Court for extension of time for payment of

amount of Rs. 50,000/- and for their release. However, vide order dated 20.09.2018, the time was extended till 21.09.2018 but request for release of the petitioners was declined. Thereafter, in compliance with order dated 20.09.2018, the amount of Rs. 50,000/- was deposited on 21.09.2018, but the petitioners were taken into custody.

It is not in dispute that the order of payment of compensation has been complied with. Thus, the order of Appellate Court refusing to release the petitioners on probation is set aside. It is directed that the order of the trial Court dated 08.04.2018 shall remain in force and that the petitioners shall undergo probation pursuant thereto for a period of six months.

The revision petitions stand disposed of accordingly.

A photocopy of this order be placed on the file of connected case.

February 11, 2019

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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No