

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

109

CRR-2970-2019 (O&M)

Date of decision: 07.11.2019

Mukhtiar Singh and another

.....Petitioner

Versus

State of Punjab & others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Mr. Munish Raj, Advocate for the petitioners.

ARUN KUMAR TYAGI, J (ORAL)

The petitioners-Mukhtiar Singh and Nand Kishore who are presently confined in Central Jail, Patiala have filed present revision petition for setting aside impugned order dated 30.10.2019 passed by the learned Additional Sessions Judge, Patiala upholding judgment of conviction and order of sentence dated 21.02.2018 passed by the learned Judicial Magistrate, 1st Class, Rajpura in complaint case No.COMP-29RT/15 dated 20.01.2014, CIS No.13 of 2014, CNR No.PBPTA1-000099-2014 titled Nand Lal and others Vs. Swaranjit Kaur and others.

Along with the revision petition, the petitioners have filed application under Section 397 Cr.P.C. read with Section 482 of the Cr.P.C for suspension of sentence.

However, at the time of arguments, learned Counsel for the petitioners, on instructions from the petitioners, has submitted that the petitioners do not challenge the legality of the judgment of conviction and order of sentence and restrict their prayer to giving of opportunity to them to comply with the order of sentence dated 21.02.2018 by furnishing personal probation bonds and paying the amount of compensation.

Learned Counsel for the petitioner has accordingly prayed that the revision petition may be dismissed as withdrawn and the petitioners may be ordered to be released on probation on furnishing of personal probation bonds and payment of compensation amount.

Since, respondents No.2 to 4-complainants did not file any appeal/revision for enhancement of sentence, no prejudice will be caused to them if the petitioners are given opportunity to comply with order of sentence dated 21.02.2018 by furnishing personal probation bonds and making payment of the compensation and therefore, issuance of notice to the respondents No.2 to 4 is considered unnecessary.

In these facts and circumstances, the revision petition is hereby dismissed as withdrawn with liberty to the petitioners to furnish personal probation bonds and pay the amount of compensation in accordance with order of sentence dated 21.02.2018. On furnishing of the personal probation bonds and payment of compensation, the petitioners shall be released on probation accordingly.

(ARUN KUMAR TYAGI)
JUDGE

07.11.2019

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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No