

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

**CRM-9322-2019 in/and
CRA-AS-102-2019
Date of Decision: 20.02.2023**

Tejpal

..... Appellant

Versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present: Mr. Akshit Mehta, Advocate for
Mr. Johan Kumar, Advocate
for the appellant.

HARSH BUNGER J. (ORAL)

Present appeal has been filed on behalf of the
appellant/complainant, wherein the following prayer has been made:-

“Appeal may kindly be allowed and the impugned judgment dated 29.10.2018 may kindly be set aside qua the findings of acquittal u/s 506 IPC and sentence awarded to the respondents No.2 to 5 u/s 323, 34 IPC may kindly be enhanced and the respondents No.3 to 5 may also be convicted for offence u/s 3(1)(S) of SC/ST Act and sentence of respondent No.2 under SC/ST Act may kindly be enhanced, in the interest of justice.”

Learned counsel appearing for the appellant submits that the present appeal has become infructuous as the appeal filed by convict-Ravinder Partap Singh (respondent No.2 herein), bearing CRA-S No.4529-SB of 2018, has already been disposed of by a co-ordinate Bench of this Court, vide judgment dated 27.02.2019, whereby the sentence

to undergo rigorous imprisonment for a period of six months, as awarded to respondent No.2 herein by the Court of Additional Sessions Judge, Faridabad, vide dated 29.10.2018, was reduced to the period already undergone. Copy of aforesaid judgment dated 27.02.2019 is supplied by learned counsel appearing for the appellant in Court today, which is taken on record, subject to all just exceptions. Relevant extract of the said judgment reads as under:-

“ - x - x -
However, considering the allegations against the appellant that he slapped the complainant; abused him in the name of his caste and creed and also the fact that he has already made to suffer a protracted trial for more than two years, the impugned order dated 29.10.2018 qua order of sentence awarding him imprisonment for 6 months is reduced to the period already undergone, inasmuch as, fine amount of Rs.6000/- imposed upon him and paid is converted into the cost of the proceedings and shall be paid to the complainant. Trial court is directed to do the needful to comply with the above direction.

- x - x - ”

Keeping in view the aforementioned circumstances and also the submission of learned counsel for the appellant, the present petition is dismissed as having been rendered infructuous.

All pending application(s), if any, shall also stand disposed of.

20.02.2023
Apurva

(HARSH BUNGER)
JUDGE

1. Whether speaking/reasoned : Yes/No
2. Whether reportable : Yes/No