

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

CRR-701-2024 (O&M)

HARMANJOT SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

Present: Mr.Ravi Singh, Advocate, for the petitioner.

Mr. Rajiv Verma, DAG, Punjab.

CRM-15423-2024

Prayer in the present application is for suspension of sentence of the petitioner during the pendency of the present appeal.

Learned counsel for the petitioner submits that the petitioner was ordered to be sentenced to undergo rigorous imprisonment for a period of six months under Section 323 IPC.

Notice in the application.

On the asking of the Court, Mr. Rajiv Verma, DAG, Punjab accepts notice on behalf of the respondent-State, who does not controvert the aforesaid fact.

In view of the fact that the conclusion of revision petition shall take long time, no useful purpose would be served by keeping the applicant/appellant behind the bars for an indefinite period.

Accordingly, the present application is allowed and the sentence of the petitioner is ordered to be suspended during the pendency of instant revision petition subject to his furnishing personal/surety bonds to the satisfaction of learned trial Court/Duty Magistrate, concerned.

Ordered accordingly.

CRR-701-2024

The instant revision petition has been filed against the judgment dated 29.01.2024 passed by Additional Sessions Judge, Rupnagar whereby, the judgment of conviction and order of sentence dated 17.09.2019 has been upheld.

It has been contended by learned counsel for the petitioner that the trial Court as well as Appellate Court have failed to prove the motive behind the present FIR as it is an admitted fact that the work of drainage has been started by the Panchayat and resolution regarding the same was proved on record by way of examination of Kulwinder Singh as DW-1 and DW-2 Rajwant Kaur has also deposed in the same manner. It is further contended that Darshan Singh who allegedly brought the injured to the hospital has not been examined by the prosecution as his name was not mentioned in the list of witnesses. Moreover, during the investigation Darshan Singh has categorically submitted that nobody has beaten Dhian Singh complainant. No specific injury has been attributed to the present petitioner which would attract under Section 323 IPC.

Notice of motion in the revision petition.

On the asking of the Court, Mr. Rajiv Verma, AAG, Punjab accepts notice on behalf of the respondent-State, who seeks time to get instructions.

Adjourned to 15.05.2024.

10.04.2024
Anu

(SANDEEP MOUDGIL)
JUDGE