

2024:PHHC:062994



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

115

CRR-2222-2016

Date of Decision : **May 07, 2024**

RAM SINGH

.....Petitioner

VERSUS

STATE OF HARYANA AND ORS

.....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : None for the petitioner.

Mr. Bhupender Singh, DAG, Haryana.

Mr. Rajesh Bansal, Advocate
for respondents No. 2, 4 and 5.

KULDEEP TIWARI, J. (Oral)

1. No one has caused appearance despite the matter was specifically put in the urgent list. On the last two dates, the learned counsel for the petitioner has not caused appearance.

2. Through the instant revision, challenge is thrown to the order dated 23.2.2016, whereby, the respondents No.2 to 5-accused have been granted the concession of probation for a period of one year by the learned Appellate Court concerned.

3. Learned counsel for the respondents No.2 to 5 submits that the respondents have successfully completed the probation period and, therefore, no cause of action survives to maintain the instant revision. Learned counsel for the respondents has also placed reliance upon the judgment passed by a Co-ordinate Bench of this Court



CRR-2222-2016

vide CRR No.649-2023 in the case of “**Surender Vs. state of Haryana and others,**” **decided on 2.5.2023** to submit that the instant petition is also not maintainable as the victim/complainant has no right to maintain the criminal revision. The relevant extract reads as under:-

“5. It is against this order that the present revision has been filed.

6. Section 372 of the Code of Criminal Procedure reads as under:

“372. No appeal to lie unless otherwise provided.- No appeal shall lie from any judgment or order of a Criminal Court except as provided for by this Code or by any other law for the time being in force;

Provided that the victim shall have a right to prefer an appeal against any order passed by the Court acquitting the accused or convicting for a lesser offence or imposing inadequate compensation, and such appeal shall lie to the Court to whom an appeal ordinarily lies against the order of conviction of such Court.”

7. It is clear on perusal of abovesaid provision that the victim’s right to appeal is restricted to three eventualities, which are as under:

- (i) against acquittal;*
- (ii) against conviction of the accused for lesser offence; and*
- (iii) for imposing inadequate compensation.*

*8. No right has been provided to the complainant/victim to file appeal for questioning the order of sentence as inadequate. Similar view has been taken by the Hon’ble Supreme Court in **Parvinder***



CRR-2222-2016

-3-

Kansal Versus The State of NCT of Delhi and Anr., Criminal Appeal No.555 of 2020, decided on 20.08.2020 (S.C.), which has also been referred by Learned Appellate Court.”

4. In view of the above, the instant revision is ordered to be dismissed.

(KULDEEP TIWARI)
JUDGE

May 07, 2024
ajay-1

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