



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

CRM-M-5695-2017

Date of Decision:-28.08.2025

Shri Ram.

.....Petitioner.

Vs.

Jagdish & Anr.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. Manish Mehta, Advocate for the Petitioner.

Mr. Vipul Sherwal, AAG Haryana.

JASJIT SINGH BEDI, J.(ORAL)

The prayer in this petition is for setting aside/modifying the order of sentence dated 31.07.2014 (Annexure P-3) passed by the Judicial Magistrate Ist Class, Mohindergarh to the extent that respondent no.1 has been illegally released on probation and judgment dated 05.12.2016 passed by Additional Sessions Judge, Narnaul whereby the revision petition filed by the petitioner/complainant, against the release of accused-respondent No.1 on probation was dismissed.

2. The brief facts of the case are that the accused/respondent No.1, namely, Jagdish along with his co-accused were convicted in Criminal Complaint No.265 dated 10.04.2008 under Sections 191, 193,



195, 463, 468, 420, 147 and 120-B IPC and was ordered to be released on probation for a period of one year on furnishing bonds in the sum of Rs.50,000/- with one surety in the like amount. In case of default/breach of the said order respondent no.1 shall make himself available before the Trial Court to under the sentence.

3. In an appeal filed by the complainant, vide judgment dated 05.12.2006 the Additional Sessions Judge, Narnaul, upheld his conviction and maintained the order of releasing the accused/respondent no.1-Jagdish on probation.

4. Against the aforementioned judgment, the complainant-petitioner/Shri Ram has preferred the present revision petition (CRM-M-5695-2017) challenging the granting of probation to the accused-respondents No.1.

5. The learned counsel for the petitioner-complainant contends that the Judicial Magistrate Ist Class, Mohindergarh has wrongly released the accused-respondent no.1 on probation despite the fact that he used forged documents to secure bail for his co-accused Sunil. Therefore, their sentence ought to be enhanced from the grant of probation to the awarding of sentence of imprisonment.

6. The learned counsel for the State on the other hand, submits that the period of probation granted to the respondents No.1 i.e. one year has already been elapsed. Therefore, the present revision petition is liable to be dismissed.

7. I have heard the learned counsel for the parties at length.

8. This Court in ***Rajinder Singh Versus State of Haryana &***



others passed in CRM-M-249-2013 dated 27.08.2018, held as under:-

“ The judgment of the learned Additional Sessions Judge, Kaithal is dated 27.10.2012, thus, respondent No.2 and 3 have already undergone sentence of probation imposed upon them and, therefore, no reason arises for me to go into the legality or propriety of the impugned judgment.

 The present petition stands disposed of as having been rendered infructuous.”

9. In the present case, the judgment of the Additional Sessions Judge, Narnaul is dated 05.12.216 and therefore, the accused-respondents No.1, namely, Jagdish son of Shri Chand has already undergone the sentence of probation imposed upon him. Therefore, there is no requirement for this Court to go into the legality or propriety of the impugned judgment.

10. In view of the above, the present petition is disposed of alongwith the pending application(s), if any

(JASJIT SINGH BEDI)
JUDGE

August 28, 2025
Vinay

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