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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
(245)

CRR-298-2016 (O & M)
Date of decision:11.08.2025

Pol Singh

..... Petitioner

V/s

State of Haryana and ors.

...Respondents

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Sachin, Advocate, for the petitioner.

Mr. T.P. Singh, Sr. DAG, Haryana.

Mr. Vikas Bishnoi, Advocate,
for respondents No.2 to 10.

JASJIT SINGH BEDI, J. (Oral)

The prayer in this petition is for setting aside the judgment dated 18.11.2015 passed by the Sessions Judge, Fatehabad whereby while upholding the judgment of conviction and order of sentence passed by the Sub Divisional Judicial Magistrate, Tohana, dated 27/29.08.2014, the accused-respondents No.2 to 10 have been ordered to be released on probation.

2. The brief facts of the case are that the accused/respondents No.2 to 10, namely, Gurjeet son of Leela Singh, Neeta son of Sapura Singh, Bansa son of Kidu Singh, Kaka son of Karnail Singh, Gurpreet son of Mithu, Karnail Singh son of Kidu Singh, Mithu son of Bachan Singh, Telu



son of Beshakhi and Prem Singh son of Mukand Singh were convicted in FIR No.139 dated 02.09.2009 under Sections 148, 149, 323, 325 and 506 IPC, Police Station Jakhal and sentenced as under:-

Offence	Rigorous imprisonment
148 r/w 149 IPC	Sentenced to undergo RI for a period of 02 years.
323 r/w 149 IPC	Sentenced to undergo RI for a period of 06 months.
325 r/w 149 IPC	Sentenced to undergo RI for a period of 03 years and to pay a fine of Rs.1,000/- each. In default of payment of fine, to undergo SI for a period of 07 days.
506 r/w 149 IPC	Sentenced to undergo RI for a period of 06 months.

3. In an appeal filed by the aforementioned accused-respondents No.2 to 10, vide judgment dated 18.11.2015, the Sessions Judge, Fatehabad, upheld their conviction under Sections 148, 323, 325 and 506 read with Section 149 IPC but released them on probation for a period of two years on furnishing requisite personal bonds in the sum of Rs.25,000/- each with one surety each in the like amount under Section 4(1) of the Probation of Offenders Act to the satisfaction of the Trial Court/Duty Magistrate, Tohana with an undertaking to maintain peace and good behaviour for a period of the next two years and to receive sentence as and when called upon during the said period of two years, if required.

4. Against the aforementioned judgment, the complainant-petitioner/Pol Singh has preferred the present revision petition (CRR-298-2016) challenging the granting of probation to the accused-respondents No.2 to 10.



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5. The learned counsel for the petitioner-complainant contends that the Sessions Judge, Fatehabad has wrongly released the accused-respondents No.2 to 10 on probation despite the fact that they assaulted the complainant-Pol Singh and caused injuries. 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 and the learned counsel for accused-respondents No.2 to 10, on the other hand, submit that the period of probation granted to the respondents No.2 to 10 i.e. two years 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 Sessions Judge, Fatehabad is dated 18.11.2015 and therefore, the accused-respondents No.2 to 10, namely, Gurjeet son of Leela Singh, Neeta son of Sapura Singh, Bansa son of Kidu Singh, Kaka son of Karnail Singh, Gurpreet son of Mithu, Karnail Singh son of Kidu Singh, Mithu son of Bachan Singh, Telu son of



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Beshakhi and Prem Singh son of Mukand Singh have already undergone the sentence of probation imposed upon them. 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 11, 2025
sukhpreet

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No