

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

2026:PHHC:016060



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CRR-479-2022 (O&M)

Date of Decision: 03.02.2026

Bhim Rao and others

...Petitioners.

Versus

State of Haryana and another

....Respondents.

CORAM: HON'BLE MRS. JUSTICE SUKHVINDER KAUR

Present: Mr. Deepak Aggarwal, Advocate
for the petitioner.

Mr. Sulinder Kumar, DAG, Haryana.

Mr. H.S. Randhawa, Advocate (Legal Aid Counsel)
for respondent No.2-complainant

Sukhvinder Kaur, J.

The petitioners have challenged the judgment and order of sentence dated 03.03.2022 passed by learned Sessions Judge, Panipat, whereby the appeal preferred by respondent No.2/ complainant against the judgment of acquittal dated 05.01.2022 passed by learned trial Court, was partly accepted and findings of learned trial Court qua acquittal of the petitioners for the commission of offence under Section 506 IPC were affirmed, however findings of acquittal for the offence punishable under Section 323 read with Section 34 IPC were reversed and the petitioners were held guilty for the said offences and were released on probation on

their furnishing bonds in the sum of Rs.50,000/- each with one surety in the like amount for a period of two years with an undertaking to keep peace and be of good behaviour during the probation period and were further directed to pay compensation of Rs.10,000/- each to the complainant.

2. Brief facts of the case are that the complainant filed an application before the police with the allegations that on 26.11.2017, appellants/ accused came to her house and accused Bhim Rao hit her with some object on her head due to which she fell down on the ground and accused Ram Kishan gave fists and legs blows to her and also pressed her breast. When her mother-in-law tried to rescue the complainant, accused Hari Om gave wooden stick blows to her and accused Bhim Rao pressed her throat. The husband of the complainant was also beaten up by the accused. Accused Hari Om had procured false physical handicapped certificate and the accused were taking undue advantage of the same by filing false complaints. On the basis of the said complaint, FIR was registered. Statement of prosecutrix under Section 164 Cr.P.C. was recorded. After completion of investigation challan was presented against the accused.

3. In order to prove its case prosecution examined six witnesses. Statements of accused under Section 313 Cr.P.C. were recorded, wherein all the incriminating evidence against accused was put to them.

4. On the basis of the evidence led on record by the appellants/ accused were acquitted by the trial Court. The complainant preferred an appeal against the said judgment and learned Appellate Court partly allowed the appeal in the manner narrated above.

5. Aggrieved against the judgment of granting of probation, the petitioners/ accused have approached this Court by preferring the present

revision petition.

6. The learned counsel for the petitioners submitted that judgment dated 05.01.2022 had been passed by trial Court after properly appreciating the evidence on record and the petitioners are liable to be acquitted under Section 323 read with Section 34 of IPC.

7. On the other hand, the learned counsel for respondent No.2 has placed reliance on the judgments of this Court in **Rajinder Singh Versus State of Haryana & others passed in CRM-M-249-2013 dated 27.08.2018** to contend that once the probation period is over the present petition has been rendered infructuous.

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

9. 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.”

10. In the present case, the judgment of the learned Additional Sessions Judge, Panipat is dated 03.03.2022 and therefore, the petitioners 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.

11. In view of the above, the present petition is disposed of as having been rendered infructuous.

(SUKHVINDER KAUR)
JUDGE

03.02.2026.
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Whether speaking/ reasoned : Yes/ No
Whether Reportable : Yes/ No