

2026.PHHC:048239



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

207

CRR 2675 of 2012

Date of Decision: 25.03.2026

Randhir @ Rabir Singh @ Rana

...Petitioner (s)

Vs.

State of Haryana

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Mr. Sanjay Verma, Advocate for the petitioner.

Mr. Parmod Kumar, AAG, Haryana.

N.S.SHEKHAWAT, J. (Oral)

1. The petitioner has filed the present revision petition against the impugned judgment dated 25.08.2012 passed by the learned Additional Sessions Judge, Kurukshetra, whereby the judgement of conviction and order of sentence passed by the learned Judicial Magistrate 1st Class, Kurukshetra dated 30.01.2012, qua petitioner were modified. He was convicted under Section 323 read with Section 34 of the Indian Penal Code, 1860 and sentenced to undergo simple imprisonment for a period of six months along with a fine of Rs.100/- with default stipulation. However, the sentence awarded to him under Section 341 read with Section 34 of the Indian Penal Code, 1860 was set aside.

2. Bereft of unnecessary details, case of the prosecution is that on 25.7.2006 at about 2.00 P.M., when the complainant Ilahi Baksh was going to his home after attending the school at village Nalvi and on the

way to his home near Dera of village Nalvi on the '*Katcha Rasta*' one boy came and stopped him and asked his name. Complainant disclosed his name to that boy but that boy started beating him and in the meantime, two other boys also came there and thereafter, all of them caused injuries to the complainant with fists and slaps. He made hue and cry and on this, Balkar came from his Dera and rescued him from clutches of the assailants. In this fight the mobile phone and cash amount of Rs.3000/- were lost. The mother of the complainant namely Krishna took the complainant to C.H.C. Shahbad on the basis of this complaint, FIR for the commission of offences punishable under section 341, 323 read with section 34 of the Indian Penal Code, 1860, was registered.

3. After completion of investigation, report under Section 173 of the Code of Criminal Procedure, 1973 against the petitioner, was filed in Court and the petitioner was charge-sheeted for the commission of offences punishable under Sections 341, 323 read with Section 34 of the Indian Penal Code, 1860, to which he pleaded not guilty and claimed trial.

4. In order to prove the charge, the prosecution examined Inspector Avtar Singh as PW1, Krishna as PW2, Illahi Baksh, complainant as PW3, SI Swaran Singh as PW4, Balkar Singh as PW5 and EASI Ramesh Chand as PW6 and, thereafter, the evidence of the prosecution was closed.

5. After closure of the evidence, the statement of the petitioner was recorded under Section 313 Cr.P.C. and he denied all the

incriminating evidence put to him and stated that he has been falsely involved in the present case. In defence, the petitioner did not lead any evidence.

6. At the very outset, learned counsel for the petitioners submits that he does not wish to challenge the judgments of conviction passed against the petitioners by both the Courts, however, some leniency may be shown while awarding the sentence on them. Even though, learned counsel for the petitioners has not challenged the judgments of conviction, still, this Court has considered the case on merits.

7. Learned State counsel submits that the petitioners do not deserve the concession regarding sentence and the present revision petition be dismissed.

8. I have heard learned counsel for the parties and perused the record carefully.

9. In the present case, PW1 Avtar Singh, Inspector, deposed that he had prepared a report under Section 173 Cr.P.C. after completion of investigation. PW2 Krishna, mother of the complainant, supported the case of the prosecution. PW3 Illahi Baksh, complainant/injured, reiterated the contents of his complaint Ex. PW3/A and fully supported the prosecution case. PW4 Swaran Singh, ASI, proved on record the entire investigation conducted in the present case. PW5 Balkar Singh was declared hostile and stated that he had never seen the accused while causing injuries to the complainant. PW6 EASI Ramesh Chand proved

the factum of registration of DDR No.44 dated 27.06.2006 on the basis of the statement made by the complainant.

10. From the evidence led by the prosecution, it is apparent that the petitioner had caused simple injuries to Illahi Baksh, injured, and has been rightly convicted for the commission of offence punishable under Section 323 IPC. Even otherwise, this Court has gone through the impugned judgement and finds no infirmity, perversity or illegality in the same. Accordingly, the impugned judgement is hereby upheld.

11. Now, adverting to the quantum of sentence, this Court has noticed from the record that the present petitioner is facing the prosecution in the present case since 28.07.2006, i.e. for the last more than 19 years. Moreover, the petitioner has also undergone a substantial period of actual custody, i.e., 02 months and 18 days out of the total sentence of 06 months. Thus, keeping in view the mitigating circumstances of the present case, this Court is of the considered opinion that a lenient view can be taken while imposing sentence on the petitioner and the sentence imposed on the petitioner is reduced to the period already undergone by him.

12. With the above modifications, the present revision petition is partly allowed and impugned judgment dated 25.08.2012 passed by the learned Additional Sessions Judge, Kurukshetra, is upheld, whereas, the sentence imposed on the petitioner is reduced to the period already undergone by him. However, the amount of fine is enhanced to Rs.25,000/- each, which shall be deposited by the petitioner in the Court of Chief Judicial Magistrate, Kurukshetra, within a period of six weeks

from today and the same shall be paid as compensation to injured Illahi Baksh against proper receipt and identification. In case, the petitioner fails to deposit the fine amount within a period of six weeks from today, the present petition shall be deemed to be dismissed.

13. Pending applications, if any, stand also disposed of, accordingly.

25.03.2026			(N.S.SHEKHAWAT)
amit rana			JUDGE
	Whether reasoned/speaking	:	Yes/No
	Whether reportable	:	Yes/No