

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

2026:PHHC:053820



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CRR-1889-2018 (O&M)

Date of Decision: 07.04.2026

Chetan

...Petitioner.

Versus

State of Haryana and others

....Respondents.

CORAM: HON'BLE MRS. JUSTICE SUKHVINDER KAUR

Present: Mr. Vishwajeet, Advocate (Legal Aid Counsel)
for the petitioner.

Mr. Sulinder Kumar, DAG, Haryana.

Sukhvinder Kaur, J.

The petitioner has challenged the judgment dated 27.07.2017 passed by learned Sessions Judge, Hisar, whereby the appeal preferred by respondents No.2 to 4/ accused against the judgment of conviction dated 21.05.2015 and order of sentence dated 25.05.2015 passed by learned trial Court, was disposed of while upholding the judgment of conviction dated 21.05.2015 and modifying the order of sentence dated 25.05.2015. The respondents were ordered to be released on probation subject to payment of compensation of Rs.55,000/- each within seven days and on their furnishing bonds in the sum of Rs.15,000/- each with one surety in the like amount for a period of one year with an undertaking to keep peace and be of good

behaviour during the probation period. Sentence was further modified that the fine amount of Rs.15,000/- each (total Rs.45,000/-) imposed by learned trial Court be treated as compensation instead of fine and this amount be set off from total compensation and be treated as compensation to the State as litigation expenses. Remaining amount of Rs.40,000/- each (out of Rs.55,000/-) will be payable to complainant/ injured Chetan in view of the nature of injuries.

2. The instant FIR was registered on the statement of complainant Chetan with the allegations that he is a LIC agent and respondent No.2/ accused Shiv Kumar borrowed an amount of Rs.50,000/- from him in the month of April, 2009 and when he demanded the said money, accused Shiv Kumar prolonged the matter. On 17.05.2010, while returning to his house when he reached near Vita Booth, 12 Quarter Road, Hisar accused Dharambir caught hold of him from behind and accused Shiv Kumar and his uncle Azad Singh gave rod blows to him from his front side. The accused also threatened him to teach a lesson for demanding money. Accused Shiv Kumar also gave 5-6 leg blows on his sensitive parts due to which he fell down. Father of accused Shiv Kumar came there and tried to strangle the complainant. Accused Shiv Kumar also took out two mobile phones and one ATM card from the pocket of the complainant. However, on raising alarm, the complainant was rescued by his brother Shalender, thereafter, he was admitted to the hospital. Rough site plan was prepared. Statements of witnesses were recorded. Accused was arrested. After completion of investigation, challan under Section 173 Cr.P.C. was presented before the Court.

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

4. On the basis of the evidence led on record the accused were held guilty and sentenced for commission of offence under Sections 323, 325 read with Section 34 IPC and Section 506 IPC, against which the respondents No.2 to 4/ accused preferred an appeal which was disposed of by learned Appellate Court in the manner narrated above.

5. Aggrieved against the judgment of granting of probation, the petitioner/ complainant has approached this Court by preferring the present revision petition.

6. The learned counsel for the petitioner submitted that judgment of conviction dated 21.05.2015 and order of sentence dated 25.05.2015 had been passed by trial Court after properly appreciating the evidence on record and respondents No.2 to 4/ accused were rightly convicted and sentenced under Sections 323, 325 read with Section 34 IPC and Section 506 IPC.

7. On the other hand, the learned counsel for the respondents 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. He further submitted that amount of compensation had also been deposited.

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, Hisar is dated 27.07.2017 and therefore, respondents No.2 to 4 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

07.04.2026.

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