

108 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR No.242 of 2015 (O&M)
Date of Decision: February 09, 2015

Jagdish @ Jaggu

.... Petitioner

vs.

State of Haryana

.... Respondent

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. Pankaj Mehta, Advocate for the petitioner.

- 1. Whether Reporters of Local Newspapers may be allowed to see the judgment?*
- 2. To be referred to the Reporters or not?*
- 3. Whether the judgment should be reported in the Digest?*

Kuldip Singh J.(Oral)

CRM-2558-2015

Notice of the application to the Advocate General,
Haryana.

At the asking of the Court, Mr. Naresh Kumar Sharma,
Deputy Advocate General, Haryana, accepts notice on behalf of the
State.

For the reasons mentioned in the application, delay of
141 days in filing the revision is condoned.

Application stands disposed of.

CRR-242-2015

Learned counsel for the revisionist contends that
the appeal filed by the revisionist against his conviction and order of

sentence dated 17.01.2013/21.01.2013, respectively, passed by learned Addl. Chief Judicial Magistrate, Fatehabad was pending before the learned Sessions Judge, Fatehabad, and that he was declared proclaimed offender on 02.07.2014 and his appeal was dismissed. On the same day, the revisionist filed an application for surrendering himself. Accordingly, he was taken into custody and sent to the jail to undergo the sentence awarded by the trial court.

The prayer of the revisionist is that his appeal should be decided by the learned Sessions Judge, Fatehabad on merits.

Keeping in view of the fact that on the same day when the revisionist was declared proclaimed offender and his appeal was simply dismissed without recording any finding on the merits, the present revision petition is allowed. The impugned order dated 02.07.2014 (Annexure P-2) passed by learned Sessions Judge, Fatehabad, declaring the revisionist proclaimed offender and dismissing his appeal, is set aside. Learned Sessions Judge, Fatehabad is directed to decide the appeal of the revisionist on merits.

The revision petition is allowed accordingly.

February 09, 2015
sarita

(KULDIP SINGH)
JUDGE