

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Revision No. 779 of 2015(O&M)
Date of Decision:-09.03.2015

Haroon Rattan

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. Mohinder S. Mann, Advocate for the petitioner.

HARI PAL VERMA J.(Oral)

The present criminal revision petition has been filed against the order dated 20.10.2014 passed by learned Addl. Session Judge, Hoshiarpur, wherey on an application filed under Section 319 Cr.P.C., the Court has passed summoning order of the petitioner as an accused.

Learned counsel for the petitioner has argued that the presence of the petitioner has been doubted even by the Special Investigation Team(for short "SIT"). Learned counsel for the petitioner has further drawn attention of this Court to the report dated 09.06.2014(Annexure P-3), wherein the SIT has reported that on 22.10.2013 at 7:45 evening at the time of occurrence, the petitioner, namely, Haroon Rattan and co-accused-Sohan Singh were not found present at the place and time of occurrence and they were found innocent in this case.

However, In view of the statement and order passed by the Court below, I find that the plea of alibi is required to be established only during trial of the case by leading evidence before the Court. Moreover, PW-1-Harpreet Singh has categorically stated that the accused came jointly in an Alto car and exhorted the main accused to cause injuries, which resulted into death of his father. Therefore, direct role has been attributed to the petitioner.

In criminal revision, the jurisdiction of this Court is very limited and no interference is required to be made particular when the plea of alibi is required to be established during trial. Therefore, the present petition is dismissed.

09.03.2015
Anjal

(HARI PAL VERMA)
JUDGE