

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

CRR No.1850 of 2008 (O&M)

Date of decision : 24.10.2016

Yoginder @ Janki Dass

..Petitioner

Versus

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Udey Veer Singh, Advocate for
Mr. N.S. Shekhawat, Advocate
for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana

JITENDRA CHAUHAN, J. (Oral)

This petition has been filed against the judgment dated 08.07.2008, passed by learned Additional Sessions Judge, Faridabad and judgment and order dated 23.02.2006 and 25.02.2006, respectively, passed by learned Chief Judicial Magistrate, Faridabad, whereby the petitioner was convicted and sentenced in FIR No.23 dated 24.01.1988, registered under Sections 420, 467, 468 and 471 of the Indian Penal Code, at Police Station Kotwali, Faridabad.

The learned counsel appearing for the petitioner states that

there is a delay of 24 days in lodging the present FIR, no independent witness was examined either by the complainant or by the prosecution and further that no recovery was effected from the petitioner.

Custody certificate has been filed in the Court, is taken on record. As per the custody certificate, the petitioner was released from jail on 25.04.2009 on expiry of sentence after being given benefit of under-trial period and earning remission.

On the other hand, the learned State counsel states that as per the report of FSL, Madhuban, name of payee and amount of money in the bank drafts were filled by the petitioner. The petitioner had forged the said drafts for purchasing two coloured TVs from the complainant.

I have heard the learned counsel for the parties and carefully perused the entire record on file.

In the instant case, the petitioner bought two coloured TVs and furnished two bank drafts and on presentation of these drafts, same were dishonoured. As per the report of FSL, Madhuban (Ex.PX), it emerges that the name of payee and amount of money in the bank drafts were filled in by the petitioner, therefore, the involvement of the petitioner in forging the said drafts to cheat the complainant is duly proved. Therefore, this Court does not find any ground to interfere with the impugned judgments, in exercise of its revisional jurisdiction, as no material evidence or circumstance has come on record to establish that there is any defect of procedure or improper acceptance or rejection of evidence by the learned

Courts below. This Court feels that the impugned judgments have been passed after proper appreciation of evidence on record and application of judicial mind.

Consequently, the present revision petition fails and is hereby dismissed.

24.10.2016

ashok

**(JITENDRA CHAUHAN)
JUDGE**

Whether speaking/reasoned: Yes / No

Whether reportable: Yes / No