

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

Crl. Revision No.1512 of 2016 (O&M)
Date of decision: April 25, 2016

Ashok Kumar Joshi

...Petitioner

Versus

State of Punjab & another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Manjeet Singh, Advocate for the petitioners.

Rajan Gupta, J.

Petitioner has impugned order dated 21.09.2013, passed by Additional Sessions Judge, Sangrur, whereby charges have been framed against him alongwith other co-accused under sections 306, 506, 120-B IPC.

Learned counsel for the petitioner submits that petitioner has not committed any crime. He further submits that similar petitions filed by co-accused Jagdish Singh and Rita Sharma have already been allowed by this court vide order dated January 19, 2015, passed in CRR-3347 of 2013. Thus, the order framing charge is liable to be set-aside.

I have heard learned counsel for the petitioners and given careful thought to the facts of the case.

While hearing the accused on the question of charge, the court below observed that petitioner Ashok Kumar Joshi had made telephone calls on 22.9.2010 and 23.9.2010 to deceased Harmesh Kumar

Markan on his mobile phone. He issued threats to publish news items against him and demanded money. Thus, reliance on order passed in the cases of Jagdish Singh and Rita Sharma is misplaced. Role of the petitioner is on a different footing. This court cannot come to the conclusion that charge has been wrongly framed against the petitioner. His plea can be examined by the trial court after evidence is led before it. Besides, petition has been filed after delay of almost 2½ years of framing of charge. Learned counsel has not been able to show any legal infirmity with the order passed by the court below. I, thus, do not find it a fit case for interference in revisional jurisdiction. The petition is hereby dismissed.

CRM-12822-2016:

Since the main revision petition has been dismissed on merits, this application for condonation of delay does not survive and the same is also dismissed.

(RAJAN GUPTA)
JUDGE

April 25, 2016
'Rajpal'