

CRR No. 2651 of 2016

Archana Arora
2016.08.30 12:31
I attest to the accuracy and
integrity of this document

**IN THE HIGH COURT OF PUNJAB & HARYANA,
CHANDIGARH**

CRR No. 2651 of 2016

Date of decision : August 29, 2016

Mamman Khan

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE AJAY TEWARI

Present:- Mr. Satish Chaudhary, Advocate
for the petitioner.

AJAY TEWARI, J (oral).

This petition has been filed against the impugned order dated 6.5.2016 passed by the Additional Sessions Judge, Mewat vide which the application under Section 391 Cr.P.C filed by the petitioner has been dismissed.

Learned counsel for the petitioner contends that the prosecution had colluded with the accused and had not placed on record the CT Scan, as a result of which injury under Section 307 Cr.P.C was not proved. The lower appellate court noticed the argument that the prosecution had colluded with the accused cannot be held to be substantiated in the circumstances where the petitioner was mis-

represented by a counsel in the trial Court.

There is no explanation why no such application was moved at the appropriate time before the trial court or even at the time of filing an appeal.

In view of the above, I see no reason to take a different view from that of the lower appellate court.

The Criminal Revision stands dismissed.

(AJAY TEWARI)
JUDGE

August 29 , 2016
archana

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No