

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Crl. W.P. No. 1227 of 2015 (O/M)
Date of decision : 11.1.2016

Kuldeep Singh

..... Petitioner

Versus

The State of Haryana and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. H.P.S. Aulakh, Advocate, for the petitioner.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
 2. To be referred to the Reporter or not.
 3. Whether the judgment should be reported in the digest ?
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KULDIP SINGH J. (ORAL)

Learned counsel for the petitioner contends that the petitioner was convicted under Section 302 IPC by the learned Additional Sessions Judge, Fast Track Court, Sonapat, and was sentenced to undergo life imprisonment and fine of Rs. 5,000/-, in default thereof, to further undergo simple imprisonment for six months, vide judgment of conviction dated 28.4.2009 and order of sentence dated 4.5.2009. It is further contended that an appeal (CRA No. D-498-DB of 2009), filed by the convict before this Court, was dismissed by the Division Bench, vide judgment dated 25.2.2014. It is contended that infact the petitioner is a juvenile and is entitled to benefit of Juvenile Justice (Care and Protection of Children) Act, 2000.

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I am of the view that the plea of the petitioner being juvenile was not raised before the lower Court or in appeal before this Court. A separate petition to raise such plea is not maintainable. The petitioner, if so desires, can challenge the judgment dated 25.2.2014, passed by the Division Bench of this Court in CRA No. D-498-DB of 2009, before the Hon'ble Supreme Court of India and raise such plea.

The present criminal writ petition is dismissed.

(KULDIP SINGH)
JUDGE

11.1.2016
sjks