

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

CRA-D-434-DB of 2017(O&M)

Date of decision : 18.05.2017

Bhim Singh

.....Appellant

Versus

State of Haryana

.....Respondent

CORAM:- HON'BLE MR. JUSTICE S.S. SARON

HON'BLE MR. JUSTICE DARSHAN SINGH

Present: Dr. Anju Sharma, Advocate for appellant.

* * *

S.S. SARON J.

The present appeal has been filed by applicant-appellant Bhim Singh son of Polia Ram against the judgment of conviction dated 22.12.2016 and order of sentence dated 03.01.2017 passed by the learned Additional Sessions Judge, Rewari.

Along with the appeal, criminal miscellaneous application No.14538 of 2017 has been filed seeking condonation of 58 days delay in filing the appeal.

In fact Bhim Singh (applicant-appellant) has already filed criminal appeal No. D-400-DB of 2017 titled Bhim Singh Vs. State of Haryana against the same judgment of conviction and order of sentence passed by the learned Additional Sessions Judge, Rewari. The said appeal was admitted by this Court on 25.04.2017. Delay of 37 days in filing the said appeal has also been condoned.

Learned counsel appearing for the applicant-appellant submits that she has verified the fact and the office of the High Court Legal Services Committee has informed her that this appeal was wrongly marked.

Keeping in view the fact that Bhim Singh (applicant-appellant) has already filed criminal appeal No.D-400-DB of 2017 against the same judgment of conviction and order of sentence, no purpose would be served by filing the second appeal.

In the circumstances, the second appeal filed by Bhim Singh (applicant-appellant) is dismissed being not maintainable.

However, this order of dismissal shall have no bearing on the earlier appeal No.D-400-DB of 2017 filed by Bhim Singh (applicant-appellant).

(S.S. SARON)
JUDGE

18.05.2017
sunil yadav

(DARSHAN SINGH)
JUDGE

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No