

231

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR No. 2072 of 2011 (O/M)
Date of decision : 30.11.2017

Rajbir

..... Revisionist

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. R.S. Hooda, Advocate, for revisionist.

Mr. R.K. Makkad, DAG Haryana.

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)

This revision is against judgment dated 2.9.2011, passed by the learned Additional Sessions Judge, Palwal, affirming the judgment of conviction dated 27.1.2009 and order of sentence dated 28.1.2009, passed by the learned Judicial Magistrate 1st Class, Palwal, vide which revisionist was convicted under Sections 279, 337, 338, 304-A IPC and was sentenced to undergo various imprisonments, maximum of which is rigorous imprisonment for one year under Section 304-A IPC, in addition to fine. All the sentences were directed to run concurrently.

The learned counsel for revisionist has argued that as per the complainant Juber, he alongwith Imran and Raja was riding the scooter when a tractor coming from front side hit the scooter. As a result of accident, they fell down and became unconscious. After Juber regained consciousness, he came to know that Imran has died and Raja has been referred to Safdarjang hospital, Delhi. He does not know the name of

CRR No. 2072 of 2011 (O/M)

tractor driver. It is contended that no identification parade was conducted.

The prosecution has examined the owner of tractor Bachu Singh, who has specifically stated in his examination in chief that Rajbir Singh, who was present in Court, was his driver. He denied the suggestion that his tractor was wrongly implicated by the police. In this way, it is proved that he was the owner of the tractor and present revisionist was his driver. This is sufficient to establish the identity of accused. There is no ground to interfere in the judgments of both the Courts below. Hence, revision is dismissed.

(KULDIP SINGH)
JUDGE

30.11.2017
sjks

Whether speaking / reasoned : Yes

Whether Reportable : No