

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

122

**CRR-2517 of 2017 (O&M)
Date of Decision: 08.09.2017.**

Rohit

....Petitioner.

Versus

State of Punjab

....Respondent.

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr. Rahul Makkar, Advocate for
Mr. L.M. Gulati, Advocate for the petitioner.

Ramendra Jain, J.(Oral)

This is a revision against the judgment of conviction and order of sentence dated 19.03.2016 of Judicial Magistrate Ist Class, Amritsar duly affirmed by the first appellate Court vide judgment dated 06.05.2017, holding the petitioner guilty for the offence under Section 382 IPC and sentencing him to undergo rigorous imprisonment for one year with fine of Rs.500/-. In default of payment of fine, further undergo simple imprisonment for 15 days.

Learned counsel for the petitioner inter~alia contends that the judgments of both the Courts below are illegal and perverse because of the reasons that (i) the case property was never produced in the Court; (ii) the driving licence of the complainant was also not proved on record to show that, in fact, he was driving the School bus on the alleged date and time of incident; and (iii) ownership of the complainant over the mobile phone, allegedly recovered from the co-accused, was not proved on record.

All the aforesaid points have been decently discussed and dealt with by the trial Court as well as the first appellate Court. Qua non-production of the case property, the trial Court has specifically mentioned that the same was produced at the time of examination of Investigating Officer, PW4 Sub Inspector Major Singh. It is a specific case of the prosecution that out of the robbed amount of Rs.4300/-, a sum of Rs.2100/- was recovered from the petitioner. Learned counsel for the petitioner has not been able to point out any falsity in the prosecution story. The deposition of the complainant in Court, that he was driving the school bus at the time of incident, was more than sufficient in the absence of any evidence to the contrary. These are concurrent findings of both the Courts below against the petitioner.

I have gone through the impugned judgments and find no illegality or perversity in the same. Consequently, the petition is dismissed.

(RAMENDRA JAIN)
JUDGE

08.09.2017
jitender sharma

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No