

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

CRR No.1563 of 2015 (O&M)

Date of Decision: 15.02.2018

Satyawan

..... Petitioner

Versus

Khazan Chand Sharma and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE H. S. MADAAN

Present: Mr. Sandeep Saini, Advocate for
Mr. Sumit Gupta, Advocate
for the petitioner.

H. S. MADAAN J. (ORAL)

Petitioner/complainant-Satyawan had filed a complaint under Sections 323, 506, 452 IPC and Section 3 of Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against Khazan Chand Sharma, deputed as BDPO, Mudlana Block, Tehsil Gohana, District Sonipat and four unknown persons. He had led preliminary evidence for the purposes of summoning. However, the trial Magistrate vide detailed well reasoned order dated 08.01.2015 found that no case for summoning of accused was made out. As such the complaint was dismissed.

Complainant has approached this Court by way of filing the present revision petition.

I have heard learned counsel for the petitioner.

At the very outset, it may be stated that the revision petition has not been filed within the period of limitation rather belatedly by 16 days.

Though an application under Section 5 of the Limitation Act for condonation of delay has been moved for the reason that the petitioner was not aware of the fact that criminal revision petition could be filed. Resultantly, on coming to know about a view, has moved this Court by filing a criminal revision petition. In that way, delay took place. The reason does not seem to be convincing. Even otherwise, the revision petition should have been filed before the Court of Sessions instead of coming to this Court directly. Therefore, criminal revision petition is bound to be dismissed being time barred. However, on merits also the petitioner does not have any case. The trial Magistrate has given appropriate reasoning for coming to the conclusion that no case for summoning of the petitioner was made out, thereby dismissing the complaint.

No ground for interference with such order is made out by exercising the revisional jurisdiction.

The criminal revision petition stands dismissed accordingly.

(H. S. MADAAN)
JUDGE

February 15, 2018

rittu

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No