

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

CRR-4961-2016

Date of decision:-19.1.2018

Sheo Chand

...Petitioner

Versus

State of Haryana and others

...Respondents

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

Present: Mr.T.S. Sangha, Senior Advocate with
Mr.Narinder Singh, Advocate
for the petitioner.

H.S. MADAAN, J.

This revision petition is directed against the judgment dated 16.8.2016 passed by learned Additional Sessions Judge, Rewari vide which he had dismissed an appeal filed by the complainant Sheo Chand against judgment dated 10.5.2012 passed by Judicial Magistrate Ist Class, Rewari acquitting the accused Krishan Kumar and Ratti Ram.

The complainant, who is the petitioner before this Court prays that such judgments passed by the Courts below be set aside by way of acceptance of the revision petition and case be remanded to the Court below.

Briefly stated, the facts of the case are that FIR No.80 dated 9.6.2004 for the offences under Sections 420, 406, 34 IPC was registered

with Police Station Model Town, Rewari at the instance of complainant Sheo Chand wherein he stated that he is 80 years old; that his one son namely Ram Avtar is serving in Navy, whereas another son namely Om Parkash had expired; that he is having strained relations with sons of Om Parkash, namely, Vir Singh and Shakti Singh as they wanted to usurp his entire land and his son Ram Avtar had given several applications to the police; that he has been residing in the village all alone and one day Ratti Ram and Krishan Kumar came to his house asking him to accompany them to their house to save him from his grandsons and accordingly he accompanied them; that the complainant further stated that he resided there for 4-5 days and thereafter accused asked him to execute the lease of the land in question in their favour for saving the same from his grandsons; that on 25.5.2004, they brought him to Tehsil Complex; that at that time Suresh Kumar and Budh Ram were also accompanying them; that thumb impressions of the complainant were obtained on several blank papers without disclosing the contents of the document and paying any money to him; that subsequently it transpired that both the accused had got executed and registered a sale deed in their favour on the pretext of executing lease deed. After registration of the FIR, the matter was investigated. The accused were arrested and after completion of investigation and other formalities the accused were forwarded to face trial.

However, trial of the accused ended in their acquittal vide judgment dated 10.5.2012 passed by Judicial Magistrate Ist Class, Rewari.

The complainant had preferred an appeal challenging the said

judgment. However, it met the same fate vide judgment dated 16.8.2016. As such, the complainant has knocked at the door of this Court by way of filing of the present revision petition.

I have heard learned counsel for the petitioner besides going through the records and I find that there is no merit in the revision petition.

The pleas so raised by counsel for the complainant have been dealt with in detail by the Courts below. The law is well settled that the revisional jurisdiction of this Court is quite limited. This Court is to interfere only if there is an illegality or infirmity apparent on the face of the judgment/order passed by a Court below or the same is perverse or the same having been passed in violation of settled principles of criminal jurisprudence. This is not the position as regards the present case. No ground is made out to exercise the revisional jurisdiction.

Thus finding no merits in the petition, the same stands dismissed.

19.1.2018
Brij

(H.S.MADAAN)
JUDGE

Whether reasoned/speaking : **Yes/No**

Whether reportable : **Yes/No**