

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Revision No. 3470 of 2017(O&M)

Rajesh Kumar and another

.....Petitioners

versus

State of Haryana

.....Respondent

Crl. Revision 3804 of 2017 (O&M)

Manoj Kumar

.....Petitioner

versus

State of Haryana

.....Respondent

Date of Decision: February 28, 2018

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTAL

Present: Mr. Vivek Khatri, Advocate
for the petitioners (in Crl. Revision No. 3470 of 2017)

Mr. Ashwani Bhardwaj, Advocate
for the petitioner (in Crl. Revision No. 3804 of 2017)

Sudhir Mittal, J. (Oral)

This order shall dispose of above two revision petitions as the same have arisen out of the common impugned judgment and order.

The petitioners – Rajesh Kumar and Manoj Kumar have been convicted under Section 420 IPC whereas petitioner – Ravinder has been convicted under Sections 420, 467, 468, 471 IPC and have been accordingly sentenced. Aggrieved by the orders' of conviction and sentence, an appeal was preferred which has also been rejected. Hence, the present revision petition.

The prosecution story is that the petitioners and one other person took money from the complainants for getting them job in the Railway. Thereafter, fake appointment letters and joining letters were prepared which were discovered by the

Railway Authorities and, thus, no jobs were provided to the complainants. An FIR was registered resulting in the aforementioned conviction.

Learned counsel for the petitioners contends that apart from PW-25 and PW-26 no other prosecution witness has supported the complainants. It is, thus, contended that the petitioners have been convicted only on the basis of oral evidence. It is also stated that there is no evidence on record to show that petitioner – Ravinder received any money although there is documentary evidence in support of the fact that the other accused viz. Rajesh and Manoj received money.

The oral as well as documentary evidence on record has been appreciated by two Courts below. In exercise of revisional jurisdiction, I am not inclined to re-appreciate evidence when no perversity has been pointed out. Thus, the contention of the learned counsel for the petitioners is rejected.

Learned counsel then contended that the petitioners are first offender and they have already undergone more than half the sentence and, therefore, a lenient view may be taken. The contention is that petitioners may be convicted to the sentence already undergone.

I am afraid, I can not accept this contention as well, as crimes like the present one are on the rise these days in the Society and gullible persons are duped by unscrupulous persons like the petitioners. Such cases need to be dealt with without any compassion so as to send an appropriate message to the Society.

In view of the above, there is no merit in the revision petitions and the same are dismissed.

February 28, 2018

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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No