

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRR-4296-2017(O&M)

Date of Decision: March 12, 2018

Nirbhai Singh

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTAL

Present: Mr. Deepak Goyal, Advocate
for the petitioner.

Sudhir Mittal, J. (Oral)

The petitioner is in revision against the judgment dated 13.11.2017, passed by the Additional Session Judge-I, Sangrur, whereby his appeal against judgment of conviction and order of sentence dated 09.08.2016, was dismissed.

2. The charge against the petitioner was of having caused grievous hurt and mischief to the complainant on account of his rash and negligent driving.

3. Learned counsel for the petitioner contends that the petitioner has not been identified in the trial and therefore, his conviction is bad in law. According to him, the son of the injured was following on his motorcycle but he has not been examined during the trial and therefore, Courts below have erred in holding that the petitioner was the driver of the offending vehicle.

4. The learned trial Court has found that the petitioner had been apprehended at the spot and he revealed his name as Nirbhai Singh son of Bhinder

Singh. Moreover, the injured had identified him during the trial to be the driver of the offending vehicle. It has also been proved on the record that the offending vehicle was owned by father of the petitioner and the petitioner has failed to explain his presence at the spot of the accident. The Driving Licence of the petitioner was also taken into possession by the police and on the basis of this evidence, a finding of fact, has been returned by the learned trial Court as well as the appellate Court, which the petitioner has been unable to assail on the ground of perversity

5. No other argument has been raised and therefore, the petition being without any merit and is dismissed.

March 12, 2018
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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned :	Yes
Whether Reportable :	No