

112

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

CRR No.167 of 2018

Date of Decision: 22.01.2018

Pankaj

....Petitioner

Vs

Union Territory (U.T.) Chandigarh

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Anil Kumar Malik, Advocate,
for the petitioner.

RAJ MOHAN SINGH, J.(Oral)

1. In respect of occurrence dated 07.12.2015, petitioner along with co-accused Sushil were tried by the trial Court in FIR No.597 dated 09.12.2015 for the offences under Sections 341, 323, 394, 506, 511 and 34 IPC registered at Police Station Sector-34, Chandigarh.

2. The FIR was registered against four persons. Co-accused namely Suraj and Hemant were tried by the Principle Secretary, Juvenile Justice Board. Remaining accused i.e. petitioner and Sushil were tried before the Judicial Magistrate Ist Class, Chandigarh.

3. Petitioner along with co-accused were convicted and sentenced for the offences under Sections 323, 394, 341 read

with Section 34 IPC. They remained unsuccessful before the lower Appellate Court when their appeal was dismissed on 23.10.2017 by the Additional Sessions Judge, Chandigarh.

4. Criminal Revision No.4229 of 2017 was filed by co-accused Sushil in the High Court and the same was dismissed on 17.11.2017 by the Coordinate Bench.

5. The recovery from co-accused Sushil was of knife used in the occurrence whereas recovery from the petitioner was of purse of the complainant.

6. The case of the petitioner cannot be distinguished from that of co-accused Sushil whose revision petition has already been dismissed by the High Court.

7. No exception can be carved out in the case of the petitioner.

8. This revision petition is totally devoid of merits and the same, is accordingly, dismissed.

22.01.2018

jyoti

**(RAJ MOHAN SINGH)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No