

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.111

CRR-2784-2018 (O&M)
Date of decision : 16.10.2018

Mukesh

..... Petitioner

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Vikas Bishnoi, Advocate, for the petitioner.

SUDHIR MITTAL, J. (Oral)

The petitioner is in revision petition before this Court against judgment dated 09.08.2018, passed by the learned Addl. Sessions Judge, Fatehabad, whereby his appeal against judgment of conviction dated 09.12.2015 and order of sentence dated 11.12.2015, passed by JMIC, Fatehabad, has been dismissed. The petitioner has been sentenced to undergo RI for a period of six months and to pay a fine of Rs.500/-, in default of which, to further undergo SI for a period of one month on account of conviction under Section 411 IPC.

The petitioner has been convicted for being in possession of a stolen motorcycle.

Learned counsel for the petitioner submits that the complainant lost his motorcycle on 27.11.2013, whereas the FIR has been registered in December, 2013. Thus, there is an un-explained delay in registration of the FIR. The Courts below have ignored this aspect of the matter.

From the record, it is evident that the stolen motorcycle was recovered from the possession of the petitioner on the basis of his disclosure statement. Thus, even though, there is a delay in registration of the FIR, it does not absolve the petitioner of his liability for being in possession of

stolen property. The findings of the Courts below on merits, have not been attacked by learned counsel for the petitioner and therefore, I do not find any ground to interfere in exercise of revisional jurisdiction.

The revision petition is, accordingly dismissed.

(SUDHIR MITTAL)
JUDGE

16.10.2018

Ramandeep Singh

Whether speaking / reasoned

Yes / No

Whether Reportable

Yes/ No