

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH
Sr. No.113

CRR-2885-2018 (O&M)
Date of decision : 30.08.2018

Paramjit Singh and another Petitioners

VERSUS

State of Punjab Respondent

CORAM: HON’BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. I.S. Parmar, Advocate, for the petitioners.

SUDHIR MITTAL, J. (Oral)

The petitioners have been convicted under Sections 452 and 323 IPC and have been sentenced as under:-

Name of the accused	Section	RI	Fine	I/D of payment of fine
Paramjit Singh	452 IPC	for one year	Rs.600/-	RI for one month
	323 IPC	for three months	Rs.300/-	RI for ten days
Kamaljit Singh	452 IPC	for one year	Rs.600/-	RI for one month
	323 IPC	for three months	Rs.300/-	RI for ten days

Sentences are to run concurrently.

Their appeal has been rejected vide impugned judgment dated 13.06.2018, passed by Addl. Sessions Judge, Ludhiana.

Learned counsel for the petitioners submits that the offence under Section 452 IPC is not made out against the petitioners as there is no evidence on the record to indicate that they were present at the place of occurrence.

Parties are closely related with each other. Father of petitioner No.1, namely, Harjinder Singh, is real brother of PW3-Harminster Singh. Said witness, as well as PW2-Harpal Singh (son of Harminster Singh) and PW4-Baljit Singh @ Jaswant Singh, have deposed regarding the presence of the petitioners at the spot. Since, the parties are closely related with each other, there can be no question of mis-identification. Thus, the argument of

the learned counsel for the petitioners is not acceptable. Apart from this, no other illegality and irregularity has been pointed out in the impugned judgment dated 13.06.2018, passed by the Addl. Sessions Judge, Ludhiana.

The revision petition is, accordingly dismissed.

(SUDHIR MITTAL)
JUDGE

30.08.2018
Ramandeep Singh

Whether speaking / reasoned
Whether Reportable

Yes / No
Yes/ No