

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

112

CRR-3693-2018(O&M)
Date of Decision: November 02, 2018

Major Singh and othersPetitioner(s)

versus

State of PunjabRespondent(s)

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTAL

Present: Mr. J.S. Brar, Advocate for the petitioners.

Sudhir Mittal, J. (Oral)

The petitioners have been convicted under sections 452, 325, 323, 34

IPC and have been sentenced as under:-

Name of Convict	Section	Sentence awarded and fine	In default of payment of fine
Major Singh	452 IPC	RI for two years and to pay fine of Rs.500/-	RI for 15 days
	325 IPC	RI for two years and to pay fine of Rs.500/-	RI for 15 days
	323 IPC	RI for six months	-
Sukhdev Singh	452 IPC	RI for two years and to pay fine of Rs.500/-	RI for 15 days
	325/34 IPC	RI for two years and to pay fine of Rs.500/-	RI for 15 days
	323 IPC	RI for six months	-
Resham Singh	452 IPC	RI for two years and to pay fine of Rs.500/-	RI for 15 days
	325/34 IPC	RI for two years and to pay fine of Rs.500/-	RI for 15 days
	323 IPC	RI for six months	-
Lakhwinder Kaur	452 IPC	RI for two years and to pay fine of Rs.500/-	RI for 15 days
	325/34 IPC	RI for two years and to pay fine of Rs.500/-	RI for 15 days
	323 IPC	RI for six months	-

All the sentences are to run concurrently

Their appeal has been dismissed vide judgment dated 26.09.2018. Thus, they have approached this Court by way of present revision petition.

Learned counsel for the petitioners submits that no independent witnesses have been examined in this case and PW-1 and PW-3 are interested witnesses being family members. Thus, it cannot be said that the prosecution has been able to prove its case beyond reasonable doubt. No blood stained clothes have been recovered and the complainant has allegedly received injuries on the same little finger, which is quite improbable. Thus, conviction of the petitioners is illegal and is liable to set aside.

The issues raised by learned counsel for the petitioners have been examined in detail by both the Courts below. Learned counsel has not been able to point out that the findings of the Courts below are not based upon evidence or are based upon palpable misreading of the evidence on record.

Thus, there is no ground for exercise of revisional jurisdiction. The petition is accordingly dismissed.

November 02, 2018

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JUDGE**

Whether speaking/reasoned :	Yes
Whether Reportable :	No