

**CRM-16310-2018 IN/AND
CRM-A-862-MA-2018 (O&M)**

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

**CRM-16310-2018 IN/AND
CRM-A-862-MA-2018 (O&M)
DECIDED ON: 06.03.2019**

SHER SINGH @ KUKI

...APPLICANT..

VERSUS

STATE OF HARYANA AND ORS.

...RESPONDENTS..

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr. Jagjeet Beniwal, Advocate,
for the applicant.

RAMENDRA JAIN, J. (ORAL)

Along with this application under Section 378 (4) Cr.P.C. for grant of special leave to file accompanying appeal another application under Section 5 of the Limitation Act for condonation of delay of 1097 days has been filed.

Learned counsel for the applicant contends that applicant inadvertently preferred a revision against the judgment dated 17.04.2015 of the trial court, acquitting the private respondents No.2 to 4, while dismissing the complaint of the applicant under Sections 500 and 120-B IPC. Since, revision was not maintainable, therefore, the revisional court, dismissed the same vide judgment dated 20.11.2017 on merit. The delay in filing the instant application is neither intentional nor deliberate, rather, for approaching wrong forum.

Having given thoughtful consideration to the submissions

made by learned counsel for the applicant, this Court finds instant application for condonation of delay completely devoid of any merit for the reasons to follow:-

1. Ignorance of law is no excuse. Therefore, choosing a wrong procedure by the applicant by way of filing revision against the judgment of acquittal dated 17.04.2015, cannot be made basis for condonation of such an inordinate delay of 1097 days i.e. around 3 years.

2. Private respondents have already been made to suffer by the applicant for around 4 years right from 02.07.2014, when he instituted the complaint against them under Sections 500 and 120-B IPC and after 20.11.2017, when his revision was dismissed.

In view of discussion above, application for condonation of delay is dismissed. Resultantly, accompanying application under Section 378 (4) Cr.P.C. is also dismissed.

06.03.2019

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**(RAMENDRA JAIN)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes/No
Yes/No**