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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR-2452-2018

Date of decision-26.11.2019

Sukhwinder Singh

...Petitioner

Vs.

Harbans Singh

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Satvir Singh, Advocate for
Mr. A.S.Manaise, Advocate for the petitioner.

MANOJ BAJAJ, J. (Oral)

The present revision petition preferred by the petitioner to challenge the order dated 17.05.2018 passed by the appellate Court whereby appeal against the judgment of conviction and order of sentence dated 20.07.2017 passed by the trial Court stands affirmed.

On 05.02.2019, the following order was passed:-

“In the fitness of things, the petitioner is directed to first surrender before the trial court before affording any hearing to him, within a week, failing which, application for suspension of sentence shall be dismissed.

Adjourned to 29.04.2019.”

After the direction given by this Court, the petitioner did not appear before the trial Court and on 23.05.2019, the following order was passed:-

“CRM-26041-2018

The petitioner in utter violation of order dated 05.02.2019, did not surrender before the trial court, despite making it clear that on not doing so, his application for suspension of sentence shall be dismissed. In view of the above factual aspect and specific finding, suspension application of the petitioner is dismissed.

Main case

On request of learned counsel for the petitioner, adjourned to 26.11.2019 for arguments.

Copy of this order be sent to concerned Chief Judicial Magistrate for issuance of arrest warrants of the petitioner to undergo the remaining sentence.”

Today, to a pointed query by this Court, it is not disputed by learned counsel for the petitioner that petitioner has still not surrendered before the trial Court.

Considering the conduct of the petitioner, petition cannot be heard on merits.

Dismissed.

(MANOJ BAJAJ)
JUDGE

26.11.2019

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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No