

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRR-2876-2018 (O&M)

DATE OF DECISION: JANUARY 23, 2019

MUKHTIAR SINGH

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ.

PRESENT: MR. JASRAJ SINGH, ADVOCATE FOR THE PETITIONER.
MR. HARSIMAR SINGH SITTA, AAG, PUNJAB.

MANOJ BAJAJ, J.(ORAL)

CRM No.30219 of 2018

This is an application for condonation of delay of 102 days in filing the revision petition.

For the reasons mentioned in the application, the delay is condoned and the application is allowed.

CRR-2876-2018

Mukhtiar Singh had filed this criminal revision petition challenging the judgement dated 16.2.2018 passed by the appellate Court whereby his appeal filed against the judgment of conviction and order of sentence recorded by the trial Court through judgement dated 1.4.2017 for the offence punishable under Section 323, 325 IPC in case FIR No.89 dated 2.8.2015, Police Station Sadar Sri Muktsar Sahib was dismissed and the conviction and order of sentence as awarded by the trial Court was maintained.

On 30.8.2018, notice of motion was issued in the revision

petition and at the same time, the sentence of petitioner-convict Mukhtiar Singh was suspended subject to his furnishing bail bonds and surety bonds to the satisfaction of the CJM/Duty Magistrate, Sri Muktsar Sahib.

Today, the State counsel has filed this custody certificate by way of affidavit of Shivraj Ssingh Nandgarh, Superintendent, District Prison Sir Mustsar Sahib, which indicates that fine as imposed on the convict also stood deposited by him before the trial Court. It is further indicated that the sentence of 1 year stands served by the convict and he was released after completion of sentence on 5.10.2108.

It appears that the petitioner despite his suspension of sentence on 30.8.2018, chose to serve the sentence.

In view of the above, nothing survives for adjudication in this case and the revision petition is dismissed as infructuous.

January 23, 2019
Gulati

(MANOJ BAJAJ)
JUDGE

Whether Reportable : Yes/No

Whether Speaking/Reasoned : Yes/No