

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

Criminal Revision No.386 of 2020 (O&M)

Date of Decision: February 13, 2020

Thakar Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Tarun Sharma, Advocate,
for the petitioner.

MANOJ BAJAJ, J.

This revision petition has been filed by the petitioner to challenge the Appellate Court's judgment dated 08.12.2017, whereby the conviction of the petitioner in case FIR No.114 dated 01.08.2014, under Section 224 IPC, Police Station, City Jalalabad, recorded by the trial Court vide order dated 30.03.2016 was upheld. Revision petition is accompanied with an application under Section 5 of the Limitation Act for condonation of delay of 688 days.

On 06.02.2020, learned State counsel was directed to place on record the custody certificate. In pursuance to the said order, custody certificate has been filed.

Learned counsel for the petitioner contends that the petitioner is a poor person and the counsel in the appeal has never informed him about the decision of the appeal.

During the course of hearing, it is not disputed by the learned counsel for the petitioner that the appeal was preferred by the convict-

petitioner and, therefore, it was incumbent upon the petitioner to appear before the Appellate Court on each and every date of hearing as his sentence was suspended on 08.04.2016.

This Court finds that the convict had willfully and deliberately kept himself away from the Appellate Court proceedings, which compelled the Appellate Court to decide the appeal in his absence after hearing the counsel.

The contents of the application do not offer sufficient explanation for condonation of delay in filing the present revision petition and, therefore, the application for condonation of delay is declined. Resultantly, the revision petition is also dismissed.

February 13, 2020
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(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No