

\$~28

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CRL.REV.P. 453/2019

JATINDER KUMAR

..... Petitioner

Through: Mr Pulkit Dandana, Advocate.

versus

THE STATE (NCT OF DELHI) & ORS

..... Respondents

Through: Ms Meenakshi Chauhan, APP for
State with SI Sunil Kumar.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **10.02.2020**

1. The petitioner has filed the present petition, *inter alia*, impugning the judgment dated 27.11.2018, whereby respondent nos.2 and 3 were convicted of an offence under Sections 325/34 of the IPC and respondent nos.4 and 5 were convicted of an offence chargeable under Section 323 of the IPC. The petitioner was a victim of the said offence and had suffered injuries at the hands of respondent No.2 to 5.
2. The petitioner had filed the present petition, *inter alia*, praying that the respondents be convicted of an offence under Section 326 of the IPC instead of Sections 325/34 of the IPC. The learned counsel appearing for the petitioner submits that the punishment imposed upon the respondents ought to be enhanced.
3. Ms Chauhan, learned APP points out that a charge for an offence punishable under Section 326 of the IPC had not been framed against the

respondents and they were not tried for the said offence. Accordingly, the question of convicting them for the same does not arise.

4. The aforesaid contention is merited and, accordingly, the present petition is dismissed.

VIBHU BAKHRU, J

FEBRUARY 10, 2020
MK