

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

CRR-380-2021 (O&M)

Date of decision: 26.03.2021

Sanjay

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE H.S. MADAAN

Present: Mr. Varun Gupta, Advocate for the petitioner.

H.S. MADAAN, J.

Case taken up through video conferencing.

Revisionist-accused Sanjay has filed the present revision petition feeling aggrieved by order dated 18.02.2020, passed by Addl. Sessions Judge, Narnaul, vide which his application under Section 207 Cr.P.C., had been dismissed.

Briefly stated the facts of the case are that during the course of the trial when it was at the fag end, revisionist/accused had moved an application U/s 207 Cr.P.C., contending that during course of investigation of the case, the police had taken into possession a pen drive, which is part of the challan but a copy thereof had not been supplied to accused; that pen drive could help the accused to defend his case properly, therefore, the application be accepted.

On being given notice, the State filed reply to the

application, contending that the statement of accused U/s 313 Cr.P.C., had already been recorded and a pen drive had already been supplied to accused along with copy of challan; dismissal of the application was sought for.

After hearing learned counsel for the parties and going through the record, learned Addl. Sessions Judge, Narnaul, vide impugned order had dismissed the application. The operative part of the order contained in para No.4, which for ready reference is reproduced as under:-

“By filing the present application, the applicant-accused wants to provide pen drive to the applicant-accused as the same was not provided to the applicant-accused at the time of filing of the challan. A perusal of the file reveals that on 21.12.2019 copy of challan was supplied to accused/applicant before the learned Illaqua Magistrate/learned CJM, Narnaul and thereafter challan was committed to the Court of learned Sessions Judge, Narnaul. After assignment of the challan, on 23.01.2020 charge was framed and after conclusion of prosecution evidence, learned PP for the State had closed the prosecution evidence. Statement of accused under section 313 Cr.P.C has already been recorded in the present case. Neither before learned Illaqua Magistrate/learned CJM, Narnaul nor at the time of framing of charge or at the stage of prosecution evidence any objection was raised by the applicant-accused and when the case was fixed for defence evidence present application has been moved. Copies of all the documents attached with the challan had already been supplied to the applicant-accused by the learned Illaqua

Magistrate/learned CJM, Narnaul. It seems that the applicant is gaining some time without any cogent reason. In the considered opinion of this court, there is no merit in the application. Hence the same is hereby dismissed.”

Feeling aggrieved by the said order, the complainant has knocked at the door of this Court, by way of filing the present revision petition.

I have heard learned counsel for the revisionist besides going through the record and I find that there is absolutely no merit in the revision petition. The impugned order which is quite detailed and well reasoned does not suffer from any illegality or infirmity much less apparent on the face of such order. The impugned order is not shown to have resulted in miscarriage of justice. I do not see any reason to set aside the order by exercising revisional jurisdiction. The revision petition is found to be without any merit and is dismissed accordingly.

26.03.2021

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(H.S. MADAAN)
JUDGE

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