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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR-2582-2022 (O&M)
Date of Decision: 29.11.2022

DHARMINDER SINGH Petitioner

Versus

STATE OF PUNJAB Respondent

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr. Vipul Babuta, Advocate
for the petitioner.

Mr. Amish Sharma, AAG, Haryana.

JAGMOHAN BANSAL, J. (Oral)

CRM-45549-2022

The applicant/petitioner through instant application is seeking condonation of delay of 1501 days in filing revision petition.

Learned counsel for the petitioner *inter alia* contends that there is delay of 1501 days in filing the revision petition which has occurred due to lack of knowledge. The petitioner was never advised of filing revision petition and he was informed that order would be challenged before learned Sessions Judge. The delay is neither intentional nor deliberate.

From the perusal of the record and arguments of the learned counsel for the petitioner, it comes out that the petitioner was awarded sentence of two years by trial Court vide judgment and order dated 11.08.2016. The petitioner preferred an appeal before Sessions Court, which came to be dismissed by ASJ, Gurdaspur vide order dated 23.12.2016. The petitioner at the time of dismissal of appeal opted to

remain absent and appellate Court left with no other option adjudicated the matter in the absence of petitioner, thus, petitioner was not taken into custody at the time of pronouncement of order.

The petitioner was arrested on 16.04.2018 and produced before CJM, however, he was released on the ground of doubt of identity. The petitioner was again arrested on 28.07.2022 produced before Trial Court, and since then is in custody.

The petitioner is seeking condonation of delay on the sole ground that his counsel did not apprise him of his right to file revision petition before this Court.

The petitioner opted to abstain from Appellate Court when final order was going to be passed. He did not disclose his identity when he was arrested on 16.04.2018. He opted to remain silent when Trial Court released him on 16.04.2018, on the sole ground of doubt. Conduct of petitioner itself speaks loudly. He is taking law as granted. He has no respect to Court of Justice and rule of law. He does not deserve leniency. There is long delay and reason advanced is lame excuse. As there is no reasonable explanation for delay, the application seeking condonation of delay deserves to be dismissed and accordingly dismissed. Consequently, main petition is dismissed.

The petition is accordingly dismissed.

(JAGMOHAN BANSAL)
JUDGE

29.11.2022
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Whether speaking/reasoned	Yes/No
<i>Whether Reportable</i>	<i>Yes/No</i>

