

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR-2310-2009
DECIDED ON:22.02.2024

MAJOR SINGH
.....PETITIONER

VERSUS

STATE OF HARYANA
.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Dinesh Arora, Advocate for
Mr. Gurinder Pal Singh, Advocate
for the petitioner.

Mr. Gagandeep Singh Chhina, AAG Haryana.

SANDEEP MOUDGIL, J (ORAL)

1. The present revision has been directed against the judgment dated 30.07.2009 passed by learned Sessions Judge vide which appeal of the petitioner has been dismissed and judgment dated 20.03.2009 and order of sentence dated 23.03.2009 passed by ACJM, Sirsa, whereby the petitioner was convicted and ordered to undergo two years RI under Section 420 of IPC and also to pay fine of Rs.500/-.

The brief facts of the case read as under:-

“That on 12.2.2003 the complainant Khem Chand son of Bhagwan Dass got recorded his statement to AS Jagdish Rai wherein he informed that he was a driver and was presently working on a Tata Qualis bearing registration no.HR-102/2571 belonging to one Surender Kumar, resident of Faridabad. That on 10.2.2003 at about 8.00 p.m. He alongwith Surender Kumar owner of the vehicle and his brother-in-law Chander Sain was standing near triangle farm at Faridabad. Then one person came to them and booked the vehicle for

going to Sirsa at 'Dera Sacha Souda', Sirsa. He hired the taxi for Rs.5/- per km. from his owner and disclosed his name as Sukhdev Singh, resident of Sector 55, House No.2022 Faridabad and also gave his mobile number. Complainant also informed that aforesaid Sukhdev Singh had urged them that in case they are unable to trace out his house they should wait for him near police post Sector No.55, Faridabad and gave him the time of 4.00 a.m. in the morning. The complainant further informed that thereafter on 11.2.2003 he went to Sector 55 at 4.00 a.m. alongwith his Qualis No.HR-012-2571. At that time one Punjabi boy of 25 years of age came there and told him that his brother has got this taxi booked for Sirsa and asked to accompany him towards bus stand Sirsa where his brother was waiting for them who had booked the vehicle. The complainant further informed that thereafter they reached Sirsa and that boy went for a call from the telephone booth and at about 1.30 p.m. the person who had disclosed his name as Sukhdev Singh and booked the vehicle came and both of them took him to 'Dera Sacha Sauda' and they returned back only at 6.00 p.m. They told that they have to pick up the children from 30 kms. away from there. They also told that after picking the children they would return to Faridabad. Thereafter they all went towards village Surita but on the way aforesaid Sukhdev etc. have forgotten the path and asked him to return back. After sometime when he got down from the taxi for nature's call then, Sukhdev Singh took key of the vehicle on the pretext that complainant would not be able to turn the vehicle and then both the aforesaid persons drove away the vehicle while leaving him there. The complainant further informed that he brought this incident to the notice of owner of the vehicle and now has informed the police. On the basis of this statement the present FIR under Sections 406/420 of IPC was registered. During the course of investigation, it transpired that Sukhdev Singh was actually Kedar Singh thus the accused Kedar Singh was arrested in this case who made a disclosure statement that he alongwith Major Singh had snatched the vehicle from its drier and now the same is parked in from of his house. In

pursuance to the disclosure statement the vehicle was recovered from in front of his house which was taken into police possession.”

2. At the outset, learned counsel for the petitioner submits that the present revision petition has become redundant, as the petitioner has already been completed the sentence, as awarded by the trial Court vide judgment and order dated 20.03.2009 & 23.03.2009 which has been affirmed by Lower Appellate Court dated 30.07.2009.
3. In view of the above, petition is ordered to be disposed off, having been redundant.

22.02.2024
Meenu

(SANDEEP MOUDGIL)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>