



In The High Court for the States of Punjab and Haryana
At Chandigarh

CRR-835-2024 (O&M)
Date of Decision:-13.11.2024

Sanjay Singh ... Petitioner
Versus
State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Gurjot Singh Sadhrao, Advocate for the petitioner.
Mr. Vishal Kashyap, DAG, Haryana.

GURVINDER SINGH GILL, J.(Oral)

CRM-18666-2024

There is a delay of 114 days in filing the present revision petition.

Notice of the application for condonation of delay had been issued, but the State has not filed any reply.

In view of the reasons mentioned in the application, the same is allowed and delay of 114 days in filing the present revision petition is condoned.

CRR-835-2024 (Main Case)

1. The instant revision petition is directed against judgment dated 4.10.2023 passed by learned Additional District & Sessions Judge, Rohtak vide which

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(2)

an appeal filed by the petitioner assailing his conviction for offence under Section 420 of Indian Penal Code as recorded by Additional Chief Judicial Magistrate, Rohtak vide judgment 22.3.2022 and order of sentence dated 25.3.2022, has been dismissed.

2. The allegations, in nutshell, as levelled against the petitioner by complainant - Ram Parkash are that the petitioner had sold two bricks of gold for an amount of Rs.27 lakhs, but later upon getting the purity of the said gold checked, he found that the same were not made of gold.
3. Learned counsel for the petitioner submitted that the Trial Court has not appreciated the evidence in the correct perspective and as a matter of fact the evidence led by the prosecution falls grossly short to establish the allegations levelled against the petitioner.
4. This Court has considered rival submissions addressed before this Court and has also gone through the judgment of conviction dated 22.3.2022 and order of sentence dated 25.3.2022 passed by learned Additional Chief Judicial Magistrate, Rohtak and also the judgment dated 4.10.2023 passed by learned Additional District & Sessions Judge, Rohtak, vide which the appeal filed by the petitioner challenging his conviction, was dismissed.
5. This Court finds that the prosecution had examined PW-1 ASI Pankaj, PW-2 SI Azad Singh, PW-3 EHC Sajjan Singh, PW-4 Inspector Neeraj Kumar, PW-5 ASI Daljit, PW-6 Retired Inspector Ramesh, PW-7 HC Dharambir, PW-8 Ram Parkash, PW-9 Dr. R.S. Punia, Senior Scientific Officer and PW-10 ASI Pardeep Kumar and has marshalled the evidence threadbare. Although the witnesses were cross-examined on behalf of the accused, but the testimonies of the PWs could not be shattered on any count. There is



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nothing on record to doubt either the veracity or credibility of the witnesses, who had consistently stated so as to establish the case of the prosecution.

6. This Court does not find any infirmity in either of the two judgments and consequently findings of guilt as recorded vide judgment of conviction dated 22.3.2022 and order of sentence dated 25.3.2022 passed by learned Additional Chief Judicial Magistrate, Rohtak and as upheld vide judgment dated 4.10.2023 passed by learned Additional District & Sessions Judge, Rohtak, are hereby affirmed. Finding no merit in the instant revision petition, the same is hereby dismissed.

13.11.2024

pankaj

(Gurvinder Singh Gill)
Judge

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