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AT CHANDIGARH**

**CRR-7087-2018(O&M)**

**Date of Decision:19.07.2024**

Jaswinder Singh

...Petitioner

Vs.

Rajinderpal Singh and Anr.

...Respondents

**Coram :    Hon'ble Mr. Justice N.S.Shekhawat**

Present:    Mr. Saurav Bhatia, Advocate  
for the applicant/ petitioner.

Mr. Deepinder Singh Brar, Sr. DAG, Punjab.

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**N.S.Shekhawat J.**

**CRM-44858-2018**

1.                The applicant/petitioner has filed the present application under Section 5 of the Limitation Act for condonation of delay of 294 days in filing the present revision petition.

2.                Learned counsel for the applicant/petitioner submits that the respondent No.1 was wrongly acquitted by the Court of Chief Judicial Magistrate, SAS Nagar, Mohali, vide his impugned judgment dated 11.11.2013 and the acquittal of respondent No.1 was wrongly upheld by the Court of Additional Sessions Judge, SAS Nagar, Mohali, vide his impugned judgment dated 01.11.2017. Learned counsel further submits that the Ist Appellate Court had passed the impugned judgment on 01.11.2017 and thereafter, the certified copy of the impugned judgment was delivered to him on 12.01.2018. After getting the copy, the petitioner waited for the opinion of the District Attorney to file a revision petition before this Court. However, no revision petition was filed by him and in this process, delay of 294 days had occurred in filing the



present revision petition.

3. I have heard learned counsel for the applicant/petitioner and perused the record.

4. From a perusal of the record, it is apparent that the petitioner had got the FIR registered in the present case on 22.02.2007 and the proceedings are going on before different Courts for the last 17 years. Even before the Appellate Court i.e. the Court of Additional Sessions Judge, SAS Nagar, Mohali, he was duly represented by a learned counsel. Thus, it can be safely held that the present petitioner was well aware of his independent legal right to file a revision petition before this Court. No doubt, the State of Punjab had also a right to file a revision petition before this Court, but the petitioner could very well challenge the impugned order before this Court, without even approaching the District Attorney. It appears that the explanation offered by the petitioner in the present revision petition is clearly an afterthought and his plea is liable to be rejected. The averments made in the application are quite vague and without any basis. Thus, finding no merits, the application for condonation of delay in filing the present revision petition is ordered to be dismissed.

**Main case**

1. Since the application for condonation of delay in filing the present petition has been ordered to be dismissed, no separate orders are required to be passed in the main case. The petition is accordingly, ordered to be dismissed.

19.07.2024  
*hitesh*

**(N.S.SHEKHAWAT)**  
**JUDGE**

Whether speaking/reasoned : Yes/No  
Whether reportable : Yes/No