

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

Cr.R No.95 of 2001

Date of decision : May 30, 2008

Ram Nath

...Petitioner.

Versus

State of H.P.

...Respondent.

Coram

The Hon'ble Mr. Justice Surjit Singh, Judge.

Whether approved for reporting? No.

For the petitioner : None.

For the Respondent : Mr. P.K. Sharma, Additional Advocate General, with Mr. P.M. Negi, Deputy Advocate General.

Surjit Singh, Judge(Oral)

The present revision petition has been filed by petitioner Ram Nath against the judgment of the Sessions Court, whereby he has been convicted of an offence under Section 324 IPC and sentenced to undergo rigorous imprisonment for six months and to pay fine of Rs.5,000/-.

2. The aforesaid judgment was passed by the Sessions Judge in appeal against the judgment of the trial Magistrate, which too, was filed by the present revision petitioner. Trial Court had convicted the appellant for offences under Sections 326 and 324 IPC and awarded the sentence of one year rigorous imprisonment for offence under Section 326 IPC. For offence under section 324 IPC, the trial Court sentenced him to undergo rigorous imprisonment for six

Whether reporters of the local papers may be allowed to see the judgment?

months and to pay a fine of Rs.5,000/-. In appeal, Sessions Judge set aside the conviction and sentence of the revision petitioner for offence under Section 326 IPC, holding that no grievous injury had been caused, as per medical evidence.

3. Nobody has appeared for the revision petitioner. I have gone through the record with the assistance of the learned Additional Advocate General.

4. Testimony of injured PW-2 Dalip Kumar, duly corroborated by the testimony of PW-3 Madan Lal, PW-4 Surinder Kumar and the medico legal evidence, comprising of the testimony of PW-1 Dr. Pradeep Kohal and the medico legal certificate Ex. PW-1/A, establishes beyond reasonable doubt that the revision petitioner hit PW-2 Dalip Kumar with a pair of scissors and caused four injuries. Therefore, I see no reason for interfering with the judgment of the Sessions Court passed in appeal. Hence, the present revision petition is dismissed.

May 30, 2008_(sd)

(Surjit Singh), J