

**Manjeet Singh Vs. State**

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**SooperKanoon Citation :** [sooperkanoon.com/910787](http://sooperkanoon.com/910787)

**Court :** Delhi

**Decided On :** Feb-24-2011

**Judge :** Shiv Narayan Dhingra, J.

**Acts :** Indian Penal Code (IPC) - Sections 419, 420, 467, 468, 471

**Appeal No. :** Crl. Rev. P. 492 of 2010

**Appellant :** Manjeet Singh

**Respondent :** State

**Advocate for Def. :** Mr. Sunil Sharma, Adv.

**Advocate for Pet/Ap. :** Mr Vikas Yadav, Adv.

**Judgement :**

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporter or not?
3. Whether judgment should be reported in Digest?

1. This revision has been preferred by the petitioner against a judgment dated 6th August, 2010 of the Appellate Court whereby the appeal of the petitioner against his conviction under Section 419/420/467/468/471 IPC was upheld.

2. Complainant Sant Singh's son lived in Germany while his son-in-law Manmohan Singh lived in village Tanda, Hoshiyar Pur. Complainant's son Gurmeet Singh sent a bank draft of ` 2,00,000/- through registered post to the complainant at the address of his son-in-law. When this bank draft was not received, complainant told his son about the non receipt of the bank draft. His son gave him details of the bank draft. On verification, complainant came to know that bank draft of ` 2.00 lakh payable in his name had already been got encashed by opening a saving bank account No. 23994 in Central Bank of India, Tilak Nagar Branch, in the name of Sant Singh showing residential address of account holder Sant Singh as A-701, DDA Colony, Chaukhandi. The complainant informed the police and the interrogation of police showed that account was opened on 12th August, 1993 by the accused. It was introduced by another account holder Dilbagh having saving bank account No. 17489 of the same branch of the same bank. Entire amount of draft of ` 2.00 lakh was withdrawn by the accused. The accused impersonated as Sant Singh. He forged the signature of Sant Singh. Deposited the bank draft in the name of Sant Singh in the newly opened account and took away the money. The offences against the accused under different section of IPC were proved before the trial court beyond reasonable doubts and the learned Appellate Court again considered the entire evidence and came to the same conclusion.

3. In the present petition the petitioner has assailed the order of trial court on the ground that the prosecution has failed to prove its case against the petitioner and he was wrongly convicted.

4. It is settled law that a revision court does not act as second appellate court and the revision court can interfere with the order of the lower court only if the lower court has acted beyond jurisdiction or has not exercised jurisdiction or an illegality was committed which goes to the root of the matter. No such case is made out by the petitioner. The petitioner's other contention is that the petitioner was a chronic patient of high blood-pressure, diabetes, kidney problem etc. and he was hospitalized in the jail hospital from the date he was sent to jail and was often referred by jail authorities to RML Hospital and DDU Hospital, therefore, the court should take lenient view and set aside the judgment of the trial court. I consider that on the grounds of ailment of petitioner, a well reasoned judgment passed by

the Trial Court, upheld by the Appellate Court, cannot be set aside. The petition has no force and is hereby dismissed.

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