

IN THE SUPREME COURT OF INDIA
INHERENT JURISDICTION

REVIEW PETITION (CRL.) NO.371 OF 2020
[@ D.NO.8641 OF 2020]

IN

PETITION FOR SPECIAL LEAVE TO APPEAL (CRL.) NO. 10817 OF 2019

BALWINDER

PETITIONER(S)

VERSUS

THE STATE OF HARYANA

RESPONDENT(S)

O R D E R

Application for listing the Review Petition in open Court is rejected.

Delay condoned.

We have perused the Review Petition and the connected papers. We do not find any error in the order impugned, much less an apparent error on the face of the record, so as to call for its review. In an application for review, this Court does not re-hear an application for Special Leave to Appeal. The Reviewing Court does not exercise the powers of an Appellate Court. Nor does the Court re-assess and/or re-analyse evidence in proceedings for review.

The plea and/or alibi taken in defence that the review applicant was not present at the place of occurrence at the time of the incident has not been accepted by the Trial Court/Appellate Court, taking into account the overall evidence, including the evidence of eye witnesses. This Court found no grounds to interfere with the concurrent findings of the Trial Court and the Appellate Court.

The Review Petition is, accordingly, dismissed.

Pending application(s), if any, shall disposed of.

.....J.
[INDIRA BANERJEE]

.....J.
[M.R. SHAH]

NEW DELHI;
DECEMBER 02, 2020

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

REVIEW PETITION (CRIMINAL) Diary No(s).8641/2020 IN
PETITION FOR SPECIAL LEAVE TO APPEAL (CRL.) No. 10817 OF 2019

BALWINDER

Petitioner(s)

VERSUS

THE STATE OF HARYANA

Respondent(s)

IA No. 39882/2020 - APPLICATION FOR LISTING REVIEW PETITION IN OPEN
COURT

IA No. 39875/2020 - CONDONATION OF DELAY IN FILING REVIEW PETITION

IA No. 39879/2020 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES)

Date : 02-12-2020 These matters were called on for hearing today.

CORAM : HON'BLE MS. JUSTICE INDIRA BANERJEE
HON'BLE MR. JUSTICE M.R. SHAH

By Circulation

UPON perusing papers the Court made the following
O R D E R

Application for listing the Review Petition in open Court is
rejected.

Delay condoned.

The Review Petition is dismissed in terms of signed order.

Pending application(s), if any, shall stand disposed of.

(RACHNA)
SENIOR PERSONAL ASSISTANT

(Signed order is placed on the file)

(POONAM VAID)
COURT MASTER (NSH)