

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**C.R.A-S No.1942-SB-2014 (O&M)
Date of Decision : 14.01.2015**

Hans Raj

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. R.S. Manhas, Advocate
for the petitioner.

Mr. Deepak Garg, A.A.G., Punjab.

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

AJAY TEWARI, J. (Oral)

This appeal has been filed against the acquittal of the respondents No.2 and 3 in a case under Sections 3 & 4 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and Sections 323, 506 IPC read with Section 34 IPC.

As regards the allegation under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, the trial Court found that the appellant had nowhere averred that the accused-respondents knew that he was a member of the scheduled caste. Apart from that even on merits the trial Court disbelieved the version because the testimony of the

two alleged eye witnesses was discrepant in material ways.

As regards the allegation of violence, since there was no medical evidence on record those allegations were also discarded.

I have gone through the record and I see no reason to take a different view to that taken by the trial Court.

Appeal is dismissed.

Since the main case has been decided, the pending Criminal Misc. Application, if any, also stands disposed of.

January 14, 2015

ashish

**(AJAY TEWARI)
JUDGE**