

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

CRA-S-637-SB of 2003(O&M)

Date of Decision :14.01.2015

Shangara Singh and another

.....Appellants

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr.Veneet Sharma Advocate
for the appellants.

Mr.APS Gill, AAG, Punjab.

- i. Whether Reporters of local papers may be allowed to see the judgment?
- ii. To be referred to the Reporters or not?
- iii. Whether the judgment should be reported in the Digest?

AJAY TEWARI, J. (Oral)

This appeal has been filed by the appellants against the order of conviction and sentence dated 5.3.2003 whereby they were sentenced to undergo rigorous imprisonment for a period of two years and to pay a fine of Rs. 200/- for the commission of offence punishable under Section 498-A IPC and in default of payment of fine they were further sentenced to undergo rigorous imprisonment for a period of one month.

The facts of the present case are that appellants are the parents-

in-law of one Satto who was married to their son Lakha. On 24.09.2000 ASI Harjit Singh received a written information from Civil Hospital, Ajnala that Satto had consumed some poisonous substance and was lying in the hospital. When he reached there the doctor on duty told him that she had been taken away. He then inquired about her from the neighbourhood but could know nothing. Then he received a telephonic message from the incharge of Shri Guru Teg Bahadur Hospital, Amritsar that Satto had died in the hospital since she had consumed some poisonous substance. He reached there where father of Satto namely Labh Singh got his statement recorded that his son-in-law Lakha and his father Shangara Singh were daily drinkers and after taking liquor they used to pick up quarrel. Once Satto had come back to his father's house along with her 1 ½ years old son and stayed there for two months but was taken back with the intervention of the Panchayat. About 15 days prior to the occurrence, his son Satta had met his sister and she told him that she was being maltreated by her inlaws as they did not allow her to go anywhere and often used to taunt her that she was not beautiful and he suspected that due to this reason she has committed suicide. On his report a case was registered under Section 306 IPC against the accused persons.

The accused-appellants were charged under Section 306 IPC. After that the prosecution lead evidence to its entirety. Accused were examined under Section 313 Cr.P.C. Arguments were heard and the trial Court came to the conclusion that charge under Section 306 IPC was not made out but convicted the accused-appellants under Section 498-A IPC and sentenced them in the manner indicated above. However, the appeal has been filed only by the parents-in-law as the husband i.e. Lakha has already completed his sentence.

Learned counsel for the appellants has argued that he would not

press this petition on merits but the fact of the matter is that the cruelty if at all could have only been on the part of the husband who has not even preferred any appeal and has undergone his complete sentence. As regards the present appellants both of them are now more than 80 and 70 years respectively and out of total sentence of 2 years, appellant No.1 has undergone almost 1 year and almost 5 months while appellant No.2 has undergone almost 10 months imprisonment. These facts have not been disputed by the learned AAG.

In this view of the matter while maintaining the conviction the sentence of the appellants is reduced to that already undergone by them during the pendency of these criminal proceedings.

Appeal stands disposed of.

(AJAY TEWARI)
JUDGE

January 14 , 2015
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