

IN THE PUNJAB & HARYANA HIGH COURT AT CHANDIGARH

CRR-1635-2013

Date of decision : 04.02.2015

Satnam Kaur

... Petitioner

Versus

Daljit Singh and others

... Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr.Avtar Singh Bhatti, Advocate
for the petitioner.

REKHA MITTAL, J.(ORAL)

The present petition lays challenge to order dated 06.02.2013 passed by the Additional Sessions Judge, Amritsaar whereby the appeal preferred by the petitioner against judgment dated 24.03.2009 passed by the trial Court acquitting the respondents-accused pertaining to FIR No.91/2000 for offence punishable under Sections 353, 354, 323 read with Section 34 of the Indian Penal Code (in short 'IPC') has been dismissed.

The learned Additional Sessions Judge has dismissed the application for condonation of delay primarily on the premise that the petitioner did not have the right to prefer an appeal against the judgment of acquittal on 24.03.2009, the date on which the criminal proceedings pending before the trial Court culminated in the judgment of acquittal as the provisions of Section 372 of the Code of Criminal Procedure (in short 'Cr.P.C.') have been amended in December 2009.

Counsel for the petitioner fairly concedes that amending Act

vide which Section 372 Cr.P.C. has been amended giving right to the victim to prefer an appeal by invoking Section 372 Cr.P.C. has not been given retrospective effect. In this view of the matter, I do not find any error much less illegality in the impugned order as would call for intervention. However, the petitioner may take recourse to appropriate proceedings seeking revival of the revision petition which was dismissed by the Court.

Dismissed.

(REKHA MITTAL)
JUDGE

February 04, 2015.

DK