

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

**CRR-1645 of 2013 (O&M)
Date of Decision: 28.1.2015**

Bhura Singh and another

....Petitioners

vs.

Parkash Singh and another

....Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. T.S. Sidhu, Advocate
 and Mr. Vikas Singh, Advocate
 for the petitioners.

 Ms. Puja Chopra, Advocate
 for respondent No.1.

 Mr. Nikhil K. Chopra, DAG, Punjab.

- 1. Whether Reporters of Local Newspapers may be allowed to see the judgment?*
- 2. To be referred to the Reporters or not?*
- 3. Whether the judgement should be reported in the Digest?*

Kuldip Singh J.(Oral)

CRM-26062 of 2013

Reply not filed.

For the reasons mentioned in the application, delay of
33 days in filing the present revision petition is condoned.

Application stands disposed of.

CRR-1645 of 2013

Challenged in the present revision is the judgment
dated 11.1.2013 passed by learned Additional Sessions Judge, Patiala vide
which while hearing the criminal appeal against the acquittal of the

respondents, the learned Additional Sessions Judge, Patiala came to the conclusion that trial Court did not at all consider the evidence which was adduced by the prosecution. The order is non-speaking and cryptic order. It was also found that the trial Court did not discuss as to which material evidence was not proved by the prosecution during the trial. Therefore, the judgment of the trial Court was set aside and the case was remanded back to the trial Court to pass judgment afresh after giving opportunity to the respondent-accused to lead the evidence in defence.

I am of the view that once the Appellate Court has taken up the defect in the judgment of the trial Court and was justified in remanding back the case and asking the trial Court to give fresh opportunity to the accused to lead defence evidence and pass the speaking judgment.

There is no illegality in the impugned order.

Accordingly, the revision petition is dismissed.

January 28, 2015

Ishant

(KULDIP SINGH)
JUDGE