

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

CRR No.2341 of 2013 (O&M)  
Date of Decision:03.03.2015

Randhir Singh

.... Petitioner

Versus

Jagdish Chander

.... Respondent

**CORAM: HON'BLE MR. JUSTICE MAHESH GROVER**

Present: Mr. G.S.Sandhu, Advocate  
for the petitioner.

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**Mahesh Grover, J. (Oral)**

This is a revision petition directed against the orders of the Courts below awarding the acquittal to the respondent-accused in a case initiated on a complaint by the petitioner. The respondent was acquitted of the charges under Sections 409, 420, 323 & 506 IPC.

The allegations as set out were that the complainant had handed over a sum of Rs.160/- to the accused for depositing with the Municipal Committee for construction of a toilet, which were not deposited and on being confronted with the fact the respondent-accused manhandled the petitioner and threatened him with harm.

The trial court concluded that there was no evidence in this regard and acquitted the respondent-accused. It also noticed the discrepancies in the statement of the complainant and the version in the complaint.

Against the order of the acquittal, the petitioner preferred an appeal before the Court of Addl. Sessions Judge, Gurgaon, which has also been dismissed.

Learned counsel for the petitioner contends that the appeal

was misconceived remedy and in fact proceedings should have been initiated before this Court and on account of this, delay of 79 days have occurred.

Be that as it may, independent of the fact of delay, a perusal of the impugned orders would show that the petitioner miserably failed to substantiate his case by leading any independent evidence. Trial Court was right in noticing the lack of evidence to support the allegations. Similarly, discrepancies in the statement of the complainant and the version of the complaint before the Court was also noticed correctly to discard the plea of the petitioner. No other material has been shown to this Court to indicate that the findings recorded by the Courts below are perverse.

Consequently, the revision petition whose scope for interference is limited to gross perversity of the impugned judgments stands dismissed on account of delay as also on merit.

03.03.2015  
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**(Mahesh Grover)**  
**Judge**