

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

SANJIV KUMAR SHARMA
2015.02.09 17:50
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CRR No. 2416 of 2013 (O/M)
Date of decision : 6.2.2015

Rajinder Kaur

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Akshay Bhan, Senior Advocate, with,
Mr. Gurinder S. Sandhu, Advocate, for the petitioner.

Mr. Ashish Sanghi, Deputy A.G., Punjab.

Mr. H.S. Randhawa, Advocate, for,
Mr. Preetinder S. Ahluwalia, Advocate,
for respondents No. 2 to 4.

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

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KULDIP SINGH, J. (ORAL)

Rajinder Kaur (complainant/petitioner) has filed this revision against the judgment dated 15.3.2013, passed by the learned Additional Sessions Judge, Patiala, affirming the judgment dated 19.8.2010, passed by the learned Judicial Magistrate 1st Class, Patiala, vide which accused/private respondents were acquitted for offence under Sections 420, 467, 468, 471, 506, 120-B IPC, pertaining to FIR No. 100 dated 13.3.2009, registered at Police Station Kotwali, Patiala.

The allegations levelled by the prosecution against the accused were that the accused fraudulently got the sale deed executed from the husband of the complainant, namely, Bharpur Inder Singh Grewal without consideration after compelling him to consume liquor. It is stated that the said Bharpur Inder Singh Grewal was habitual drunkard and he died on 6.6.2001.

After completion of the investigation, the State presented the challan, which resulted in the acquittal of the accused. The complainant filed appeal against the acquittal of the accused, which was also dismissed, vide order dated 15.3.2013, passed by the learned Additional Sessions Judge, Patiala.

I have heard learned counsel for the parties and have also carefully gone through the file.

Before the trial Court, it was proved that the husband of the complainant was not drunken at the time of execution of the sale deed in question. The trial Court as well as the appellate Court have considered the entire evidence and came to the conclusion that the allegations against the accused are not proved. Bharpur Inder Singh Grewal, during his life time, did not file any complaint that the sale deed was got executed from him by administering liquor and that no sale consideration was paid. Rather, the payment of sale consideration was proved. It was proved that Bharpur Inder Singh Grewal, husband of the complainant, had deposited an amount of Rs. 2.50 lacs out of the total sale consideration in his Saving Bank

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Account No. 509 with Oriental Bank of Commerce, Branch Urban Estate, Patiala, on 22.11.2000, I find no illegality or perversity in the judgment of the two Courts below, acquitting the accused. Therefore, there is no ground to interfere with the concurrent findings of the two Courts below, acquitting the accused. Consequently, the present revision is dismissed.

(KULDIP SINGH)
JUDGE

6.2.2015
sjks