

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRR No. 2614 of 2013 (O&M)

Date of decision : February 19, 2015

Palvinder Kaur,

..... Petitioner

v.

Prem Singh and others,

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Sanjay Jain, Advocate
for the petitioner.

Mr. Parveen Sharma, Advocate
for Mr. Arvind Singh, Advocate
for respondents No.1 to 3.

Mr. RK Makkar, DAG Haryana
for respondent No.4.

- 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 judgment should be reported in the Digest ?**

Ajay Tewari, J (Oral)

The precise argument of counsel for the petitioner is that after respondents No.1 to 3 were acquitted by the trial Court, the petitioner had filed an appeal as a victim under Section 372 of the Cr.P.C and that has been wrongly rejected by the appellate Court as being not maintainable by invoking sub-section (4) of Section 378 of the Cr.P.C, which could only be invoked in a complaint case and not in the FIR case.

Counsel for the private respondents, as well as counsel for the

State of Haryana have accepted the fact that the appellate Court has erred in

law.

In these circumstances, this revision petition is allowed, the impugned order is set aside and the matter is remitted back to the appellate Court to decide the appeal as per law. Parties, through their counsel, are directed to appear before the appellate Court on 20.4.2015.

February 19, 2015

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**(AJAY TEWARI)
JUDGE**