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

CRR No.2972 of 2013

Date of decision: February 23, 2015

Kulwant Singh

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Rajinder Sharma, Advocate
for the petitioner.

Mr. V.P.S. Sidhu, AAG Punjab.

Mr. Sandeep Sharma, Advocate for
Mr. Veneet Sharma, Advocate
for the respondents No.3 to 22.

SABINA, J

Respondents No.2 to 22 had faced trial in FIR No.189 dated 27.09.2005 under Sections 148, 380, 427, 458, 201 of Indian Penal Code, 1860, registered at Police Station Ajnala. Trial Court vide order dated 21.07.2010 ordered the acquittal of the respondents No.2 to 22. The said order was upheld in appeal by the Appellate Court vide order dated 22.03.2013. Hence, the present petition.

Case of the applicant-complainant, in brief was that on 26.09.2005 at about 5:00 AM, complainant alongwith his son Jagdip Singh were going towards their tubewell in order to look after their harvested paddy crop. When they reached near Gurudhwara Sri Tahil Sahib, they saw that accused

were demolishing residential house of Jaswant Singh and were loading debris in a tractor trolley and were carrying the same to some unknown place. Accused were also constructing a wall at the spot. Complainant informed his brother Jaswant Singh in this regard.

Trial Court while ordering the acquittal of the respondents No.2 to 22 has held that complainant had failed to establish the existence of house at the spot or the fact that the complainant party was owner of the said house. Learned counsel for the petitioner has failed to point out any misreading of evidence by the Courts below warranting interference by this Court. In these circumstances, Courts below had rightly ordered the acquittal of the respondents No.2 to 22 after appreciating the evidence led by the prosecution.

Dismissed.

**(SABINA)
JUDGE**

February 23, 2015

m.singh