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

**CRR No.1308 of 2014**

**Date of decision: January 14, 2015**

Ranjit Singh

.....Petitioner

Versus

Jastej Singh and others

.....Respondents

**CORAM: HON'BLE MRS. JUSTICE SABINA**

**Present:** Mr. Surinder Garg, Advocate  
for the petitioner.

**SABINA, J**

Respondents had faced trial in a complaint filed by Harbans Kaur under Sections 420, 467, 471, 468, 379, 427, 148, 149 of Indian Penal Code, 1860 and under Section 25 of Arms Act, 1959. During trial, Harbans Kaur died and the petitioner was brought on record being her legal heir. Trial Court vide order dated 23.02.2010 discharged the respondents. The said order was challenged by the petitioner in appeal. Appellate Court vide order dated 20.12.2013 dismissed the appeal. Hence, the present petition.

I have heard learned counsel for the petitioner and have gone through the record available on the file carefully.

The case of Harbans Kaur-complainant in brief was that Kartar Singh had executed a will in her favour qua the land in question. After the death of Kartar Singh, Harbans

Kaur had become owner of the property in question. Civil litigation was pending in this regard. On 05.08.2011 at about 8:00 AM, respondents alongwith 25-30 other persons armed with deadly weapons forcibly entered the land of Harbans Kaur and damaged the standing crop.

In the pre-charge evidence, complainant examined Gurdev Singh as PW1 and Ranjit Singh as PW2. Trial Court ordered the discharge of the respondents as complainant had failed to lead any corroborative evidence in support of the complaint. No photographs of the damaged crop had been proved on record nor any assessment qua damage suffered by the complainant, was proved on record. So far PW1 Gurdev Singh is concerned, his evidence was hearsay as he had deposed as per the facts disclosed to him by Harbans Kaur.

Appellate Court while dismissing the appeal also held that the oral evidence led by Harbans Kaur remained uncorroborated. Although, it was the case of the complainant that the occurrence had been witnessed by Jalour Singh and Kaur Singh, but the said witnesses had not been examined. Moreover, civil litigation was pending between the parties. Photographs of the damaged crop had not been proved on record nor the damaged crop had been got assessed from any expert.

Learned counsel for the petitioner has failed to point out any misreading of the evidence by the Courts below

warranting interference by this Court.

The reasons given by the Court below while ordering the discharge of the respondents, are sound reasons and call for no interference.

Dismissed.

**(SABINA)  
JUDGE**

**January 14, 2015**

*m.singh*