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

CRR No.2121 of 2014

Date of decision: December 11, 2015

Pritam Singh

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. H.S. Aujla, Advocate for
Mr. N.S. Dandiwal, Advocate
for the petitioner.

SABINA, J

Respondents No.2 and 3 had faced trial in FIR No.207 dated 14.10.2003, under Sections 420, 465, 471 of Indian Penal Code, 1860, registered at Police Station City Ferozepur.

Trial Court vide order dated 02.08.2013 ordered the acquittal of respondents No.2 and 3 of the charges framed against them. In an appeal filed by the petitioner, the said order of acquittal of respondents No.2 and 3 by the trial Court, was upheld by the Appellate Court vide order dated 14.05.2014. Hence, the present petition by the petitioner-complainant.

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

Prosecution story, in brief, is that respondent No.2-Sheetal Singh got prepared Ration Card No.87 in the year 1999 describing himself to be resident of village Phabra, District Nawanshahar. As per this Ration Card, age of respondent No.2 was 47 years and the name of his son Davinder Singh was also mentioned in the said Ration Card. However, respondent No.2-Sheetal Singh got prepared Ration Card No.3061 describing himself to be resident of Kucha Mistri Ram Singh, Ward No.24, Bagdadi Gate, Ferozepur City. In the said Ration Card, respondent No.2 had shown his age as 60 years and age of his son Balwinder Singh was mentioned as 20 years. Respondent No.2 married his daughter with Gagandeep Singh alias Gairi resident of Canada. At the time of marriage ceremony of the daughter of accused Sheetal Singh, accused Harpal Singh Bhullar wrongly identified Sheetal Singh and his daughter to be resident of Ferozepur. After completion of investigation and necessary formalities, challan was presented against the accused.

The Courts below while ordering the acquittal of respondents No.2 and 3 have taken in consideration that original Ration Card, which was allegedly issued at Nawanshahar had not been proved on record. So far as the Ration Card issued in favour of respondent No.2 at Ferozepur, is concerned, the genuineness of the same had

not been challenged before any competent authority. Daughter of respondent No.2 immigrated to Canada and the said immigration had not been challenged that it was based on any fake document. It has further been noticed by the trial Court that PW4-Mohinder Singh had stated that Ration Card issued in favour of respondent No.2 showing him as resident of village Phabra had already expired and his statement was not recorded by the police. The investigating officer had stated that Sheetal Singh was shown as a tenant in the Ration Card issued to him as a resident of village Phabra, but there was no evidence that Sheetal Singh has been wrongly described as a tenant in the said Ration Card. In the facts and circumstances of the present case, the Courts below had thus, rightly ordered the acquittal of respondents No.2 and 3.

No ground for interference is made out.

Dismissed.

**(SABINA)
JUDGE**

December 11, 2015
mahavir