

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

(216)

CRR-2826-2014

Decided on: December 10, 2015.

Sardara Singh

.... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. Sanjiv Gupta, Advocate, for the petitioner.

M.M.S. BEDI, J (ORAL)

Petitioner had filed a private complaint against the private respondents alleging that on 25.12.2002 the petitioner along with his sons Jaspal Singh and Major Singh were assaulted by the private respondents. The trial Court had convicted the accused for offence under Sections 148, 323, 324 IPC to undergo simple imprisonment for period of 6 months, 3 months and 6 months respectively along with fine.

The lower Appellate Court while acquitting the private respondents was of the opinion that the private respondents had not caused injuries on the person of complainant as well as on the person of his sons Major Singh and Jaspal Singh. Non-examination of Jaspal Singh as a witness was sufficient enough to create a doubt regarding the authenticity of the allegations leveled by the petitioner in the complaint. The other persons, who had allegedly witnessed the occurrence i.e. Narain Singh, Diwan Singh

and Isher Singh though they were cited as witness but none of them had been examined. The lower Appellate Court has given sufficient reasons for acquitting the private respondents.

No ground is made out on re-appreciation of evidence to convert the order of acquittal in conviction.

Dismissed.

(M.M.S. BEDI)
JUDGE

December 10, 2015
harsha