

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

SANJIV KUMAR SHARMA
2015.01.27 17:17
I attest to the accuracy and
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CRR No. 3047 of 2014 (O/M)
Date of decision : 19.1.2015

Rekha

..... Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Ramender Chauhan, Advocate, for the petitioner.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
 2. To be referred to the Reporter or not.
 3. Whether the judgment should be reported in the digest ?
- .- -.-

KULDIP SINGH, J. (ORAL)

The present revisionist has filed this revision against the judgment dated 4.6.2014, passed by the learned Additional Sessions Judge, Bhiwani, affirming the judgment dated 14.2.2011, passed by the learned Chief Judicial Magistrate, Bhiwani, whereby all the accused/respondents were acquitted of the charges under Sections 498-A, 406 and 506 IPC.

Learned counsel for the revisionist has argued that both the Courts below have erred in acquitting the accused/private respondents. It is stated that there was sufficient evidence on file to convict the accused/private respondents.

It comes out that the complainant/revisionist Rekha and accused/respondent No. 2 Anil were married on 12.5.1999. Then, there are allegations of demand of dowry. It is further alleged that in-laws of the complainant demanded a car and Rs. 50,000/- in

cash. The complainant/revisionist was mercilessly beaten up on 15.6.2001 by her father-in-law and she was left in her parental house. On 30.3.2003, the father of the complainant/revisionist visited her matrimonial home, but the accused persons ousted the complainant alongwith her father of the matrimonial house. A panchayat was convened in August, 2004, which failed to resolve the dispute.

The learned Judicial Magistrate 1st Class, Bhiwani, took the view that the divorce petition was instituted on 23.8.2004. The present FIR was lodged thereafter on 20.9.2004. There was no complaint prior to 20.9.2004. Therefore, the allegations of demand of dowry could be easily levelled and were not believed. It was also held that Section 406 IPC is not attracted as the complainant has nowhere stated that the property has been gifted to her as *Istridhan*.

The learned Additional Sessions Judge, Bhiwani, has concurred with the findings of the learned Chief Judicial Magistrate, Bhiwani. I am of the view that there are concurrent findings of two Courts below acquitting the accused/respondents. The evidence led by the State was appreciated and both the Courts below have taken one of the two possible views. In this way, there is no illegality, infirmity or perversity in the judgments of the Courts below. Hence, the present revision is dismissed.

19.1.2015
sjks

(KULDIP SINGH)
JUDGE