

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

CRR No.350 of 2014 (O&M)

Date of Decision: February 19, 2015

Vikram Singh

.... Petitioner

vs.

State of Punjab

.... Respondent

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Revisionist in person along with his counsel
Mr. Sanjeev Manhas.

1. Whether Reporters of Local Newspapers may be allowed to see the judgment?

2. To be referred to the Reporters or not?

3. Whether the judgment should be reported in the Digest?

Kuldip Singh J.(Oral)

CRM-3396-2014

For the reasons mentioned in the application, delay of 209 days in filing the present revision petition, is condoned, subject to all just exceptions.

Application is disposed of.

CRR-350-2014

Challenged in the present revision is the judgment dated 16.03.2013 passed by learned Addl. Sessions Judge, S.A.S. Nagar, Mohali, modifying the judgment and order dated 31.08.2010 passed by learned Sub Divisional Judicial Magistrate, Kharar, vide which accused-revisionist was convicted under Section 498-A of the Indian Penal Code, 1860 (in short 'IPC') and sentenced to undergo rigorous imprisonment for two years and three months and to pay a fine of ₹1,000/-, in default thereof to further undergo simple imprisonment

for fifteen days. However, the sentence of two years and three months was reduced to one year and the remaining part of the sentence was upheld by the learned Addl. Sessions Judge, S.A.S. Nagar, Mohali.

The case was registered on the complaint of Manjit Kaur, wife of the accused-revisionist. It was stated that parties were married on 08.02.1998 but soon after the marriage, accused-revisionist started beating the complainant to compel her to bring more money from her parents. Her parents paid ₹25,000/- to the accused-revisionist but was of no use. It was stated that one day, accused gave so much severe beating to the complainant that she got injury on her spinal cord and as a result of which, she could not walk properly. Her life became hell. One year later, she gave birth to a male child. Her parents gave clothes and ornaments on the said occasion but the accused-revisionist was not satisfied. When the son of the complainant was just 20 days old, the complainant was taken back to her matrimonial home and was given severe beating. She became physically weak and could not do the domestic work properly. On 11.03.2000, the accused-revisionist left her at her parental house and did not return to take her back. But on 02.04.2000, accused-revisionist gave beatings to the complainant in her parental house and demanded ₹1,00,000/-.

The accused-revisionist was charge-sheeted under Sections 406 and 498-A IPC. However, he was convicted only for the offence punishable under Section 498-A IPC.

I have heard learned counsel for the petitioner and have also gone through the judgments and orders of both the courts below.

Learned counsel for the revisionist has stated that the accused-revisionist has already undergone the sentence awarded to him.

The allegations against the accused-revisionist are serious. It is alleged that he used to beat up his wife. The dowry was regularly demanded. She was even beaten up in her parental home also. Once she was beaten up so severely that she received injury on her spinal cord.

I am of the view that even though the medical evidence has not been produced but the nature of allegations shows that these are unlikely to be false. There are concurrent findings of both the courts below, recorded after weighing the entire evidence. Learned Sub Divisional Judicial Magistrate, Kharar, after weighing the evidence, came to the conclusion that the offence under Section 406 IPC is not made out, which shows that the evidence was thoroughly scanned by the learned Magistrate. It was also thoroughly examined by the learned Addl. Sessions Judge, S.A.S. Nagar, Mohali.

Therefore, I do not find any illegality or infirmity in the said orders. Consequently, the present revision petition is devoid of merits and the same is accordingly dismissed.

February 19, 2015
sarita

(KULDIP SINGH)
JUDGE