

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

CRM-A-1869-MA-2014 (O&M)

Date of decision: 21.01.2016

Rajpal

.....Applicant

versus

State of Haryana and others

.....Respondents

CORAM: Hon'ble Mr.Justice Kuldip Singh

Present: None for the applicant

- 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 No.37500 of 2014

For the reasons mentioned in the application, it is allowed and 425 days delay in filing the application for grant of leave to appeal stands condoned.

CRM-A-1869-MA-2014 (O&M)

None has appeared for the applicant despite second call. I have gone through the case file and proceed to decide it on merits.

This application for grant of leave to appeal has been filed against the judgment dated 30.7.2013, passed by the learned Judicial Magistrate 1st Class, Hathin, vide which complaint filed by the present petitioner under Sections 148, 323, 325, 506, 149 IPC was dismissed and the accused were acquitted after framing of the charges and

recording evidence of both the parties.

A perusal of judgment of the lower Court shows that the statement of the complainant was held to be un-reliable. It was held that the ocular version is not supported by the medical evidence. The doctor preparing the MLR was not examined. The story of the complainant of harvesting the wheat crop in the month of March was disbelieved on the ground that the wheat crop is always harvested in the month of April. Lower Court after examining the entire evidence held that the prosecution case is not proved beyond all reasonable doubts. There is no illegality or perversity in the judgment of the lower Court. Judgment of the lower Court is supported by a sound and cogent reasoning. Therefore, there is no ground to interfere.

The application for grant of leave to appeal is accordingly dismissed.

21.01.2016
gk

(Kuldip Singh)
Judge