

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-A-1893-MA-2014

Date of Decision:-05.08.2016

Smt. Shanti Devi

...Applicant

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. Diwan S. Adalakha, Advocate for the applicant.

HARI PAL VERMA J.(Oral)

Prayer made in the present application filed under Section 378 (4) Cr.P.C. is for grant of Special Leave to Appeal against the judgment dated 18.09.2014 passed by learned JMIC, Yamuna Nagar at Jagadhri.

Briefly stated, the applicant-complainant filed a complaint under Sections 148, 149, 323, 452, 379, 506 and 120-B IPC alleging therein that on 09.02.2009 while the complainant was present in her house alongwith her husband at about 2.00 PM., all the accused persons in collusion with each other forcibly entered her house whereas accused No.2 i.e. Sunny was armed with a bat, the other accused were carrying lathies and dandas in their hands. It has been further averred by the complainant that thereafter, accused no.3 Seema and accused No.5 i.e. Veena grabbed the complainant by her hair and started abusing her in a filthy language. Accused No.1 i.e. Tanuj @ Kitti and accused No.4 i.e. Nisha threatened to kill her, but despite the best efforts from her husband, the complainant could not be rescued and thereafter, both complainant and

her husband were given merciless beatings by the accused persons.

The trial in the case was conducted and the trial Court while appreciating the evidence has come to the conclusion that even complainant, who appeared before the Court as CW-1 has deposed in her examination in chief that accused Veena gave a blow of stick on her right hand, but the said injury was nowhere reflected in the affidavit of doctor Sangeeta Bhagat, who was examined as CW-3.

Similarly, the complainant has examined Ram Dass as CW2. The evidence of Ram Dass is also not helpful to the complainant, as he himself admitted in his examination in chief that he has no knowledge as to when the occurrence took place.

In view of the facts and circumstances of the case, the applicant-complainant has failed to establish her case. Therefore, this Court finds that there is no illegality in the order passed by the Court below.

Dismissed.

(HARI PAL VERMA)
JUDGE

August 05, 2016
Anjal

Whether speaking/reasoned? Yes/No

Whether reportable? Yes/No