

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

**CRR No.2641 of 2010 (O&M)
Date of Decision: March 03, 2016**

Seema Singh

.... Petitioner

vs.

State of Haryana and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Ms. Bindu Goel, Amicus Curie for the petitioner.

Mr. Yashwinder Singh, DAG, Haryana.

Mr. R.S. Sihota, Sr. Advocate with

Mr. B.R. Rana, Advocate for respondent No.2.

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-50678-2010

There is delay of 110 days in filing the present revision petition.

For the reasons mentioned in the application, delay of 110 days in filing the present revision petition is condoned, subject to all just exception.

Application stands disposed of.

Main Case

Impugned in the present petition is the judgment of conviction dated 09.01.2008 and order of sentence dated 10.01.2008 passed by learned Addl. Chief Judicial Magistrate, Faridabad as well as the judgment dated 20.01.2010 passed by learned Addl. Sessions Judge, Faridabad.

Heard.

It comes out that Sanjay Kumar-respondent No.2 was convicted by the learned Addl. Chief Judicial Magistrate, Faridabad for the commission of offence punishable under Section 498-A IPC and sentenced to undergo rigorous imprisonment for two years and to pay a fine of ₹2,000/-, in default thereof to further undergo simple imprisonment for a period of three months.

Sanjay Kumar preferred an appeal before the learned Addl. Sessions Judge, Faridabad and learned Addl. Sessions Judge, Faridabad extensively discussed the evidence and came to the conclusion that the lower court wrongly relied upon the uncontradictory and unreliable statements of PW3 to PW5 in convicting respondent No.2 under Section 498-A IPC. Learned Addl. Sessions Judge, Faridabad dealt with the documentary evidence and held that the offence punishable under Section 498-A IPC is not proved beyond all reasonable doubts.

It comes out that the first appellate court had taken one of the two possible views. Therefore, while exercising the revisional powers, this Court does not find any illegality or infirmity in the findings recorded by the first lower appellate court.

Accordingly, the present revision petition stands dismissed.

March 03, 2016
sarita

(KULDIP SINGH)
JUDGE