

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT
CHANDIGARH

CRR No.2651 of 2010

Date of decision: February 29, 2016.

State of Haryana

... **Petitioner**

v.

Satya Parkash Sharma

... **Respondent**

2.

CRR No.3310 of 2010 (O&M)

R.D. Jatain

... **Petitioner**

v.

Satya Parkash Sharma

... **Respondent**

CORAM: **HON'BLE MR. JUSTICE KULDIP SINGH**

Present: Mr. M.S. Sidhu, Additional Advocate General, Haryana.

Mr. J.S. Ghumman, Advocate for
Mr. ADS Sukhija, Advocate for the respondent.

1. *Whether Reporters of local papers may be allowed to see the judgment ?*
2. *Whether to be referred to the Reporters or not ?*
3. *Whether the judgment should be reported in the Digest?*

Kuldip Singh, J. (Oral):

This order shall dispose of CRR Nos.2651 & 3310 of 2010 as the same have arisen out of the same facts.

Impugned in the present revision is the judgment dated 6.9.2006 passed by learned Judicial Magistrate First Class, Rohtak vide which the accused, respondent Satya Parkash Sharma, was acquitted of the offences punishable under Sections 420, 468, 408, 409, 467, 471 IPC with which he was charged by granting him benefit

of doubt.

The State of Haryana filed the appeal against the said judgment which came up for hearing before Additional Sessions Judge, Rohtak. Learned Additional Sessions Judge, Rohtak, after hearing the State and the accused, vide judgment dated 12.5.2010 dismissed the appeal of the State, upholding the judgment of the lower court.

It comes out that two courts below have applied their mind to the facts of the case. It has been held that the prosecution could not prove its case beyond shadow of reasonable doubt. Both the courts below, after discussing the entire evidence available on the file, have taken one of the possible views. The trial court has held that the prosecution has failed to substantiate the allegations levelled against the accused beyond the shadow of reasonable doubt.

It being so, this Court finds no ground to interfere with the impugned judgments passed by the courts below acquitting the accused.

Dismissed.

February 29, 2016.
kadyan

[Kuldip Singh]
Judge