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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR No. 1360 of 2015 (O/M)
Date of decision : 2.3.2016

Naresh Devi

..... Revisionist

Versus

Pankaj and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. M.S. Kathuria, Advocate, for,
Mr. J.P. Jangu, Advocate, for the revisionist.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
 2. To be referred to the Reporter or not.
 3. Whether the judgment should be reported in the digest ?
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KULDIP SINGH J. (ORAL)

On the complaint filed by the revisionist, the accused Pankaj (respondent No. 1 herein) was challaned by the police under Section 354 IPC. After the trial, the learned Judicial Magistrate 1st Class, Rewari, vide judgment dated 11.3.2014, held the accused guilty for commission of offence punishable under Section 352 IPC and released him on probation. Against the said judgment, accused filed an appeal, whereas the complainant also filed a separate appeal. The learned Additional Sessions Judge, Rewari, vide judgment dated 2.3.2015, held that even the offence punishable under Section 352 IPC is not made out and dismissed the appeal, filed by the complainant.

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I have heard the learned counsel for the revisionist and have also carefully gone through the file.

The perusal of the facts of the case shows that the allegations are that accused caught hand of the complainant and pulled her towards the plot. The complainant had claimed that in the struggle, she received injury on her left elbow, but the MLR was not produced on file.

The learned Additional Sessions Judge, Rewari, held that after considering the oral evidence of the prosecution and the testimony of both the accused, he is of the view that the version given by both the witnesses is not trustworthy. Therefore, he granted the benefit of doubt to the accused holding that no such incident had taken place. It goes to show that the learned Additional Sessions Judge, Rewari, has taken one of the two possible views. There is no illegality or perversity in the impugned judgment. Therefore, there is no ground to interfere in the judgment of acquittal dated 2.3.2015, passed by the learned Additional Sessions Judge, Rewari. Hence, the present revision is dismissed.

(KULDIP SINGH)
JUDGE

2.3.2016
sjks