

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Revision No. 2167 of 2015
Date of decision : 12.07.2016

Babita

... Petitioner

versus

Union Territory, Chandigarh and another

... Respondents

CORAM:- HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Vivek Kathuria, Advocate
for the petitioner

None for the respondents

ANITA CHAUDHRY, J. (ORAL)

This revision has been filed by the complainant as the trial had ended in acquittal of the accused. The order was maintained by Addl. Sessions Judge. The petitioner is seeking a re-trial.

A complaint was lodged in 2009 in Police Station, Sector 39, Chandigarh. A complaint was made that the complainant was alone at home at 8.30 a.m. when the accused entered her house and tried to molest, she tried to save herself and the accused fled. When her parents returned she narrated the incident to them but to avoid any embarrassment no complaint was given to the police that day. The FIR was got registered the next day. The accused was challaned. Charge was framed under Sections 354, 506 IPC.

The trial Court closed the evidence of the prosecution. The prosecution failed to lead any evidence even after last opportunity had been granted. The trial ended in acquittal.

Perusal of the record shows that another notice had been sent at the address indicated in the complaint but a report was received that they had met a lady (her name was mentioned therein) and she had told that the complainant side had left the house after sale to an unknown place and no person by that name resided there.

Learned counsel for the petitioner states that complainant still lives in the same house and an opportunity be given and the re-trial should be ordered.

I find no ground for remand or re-trial. Adequate opportunity had been

granted to the prosecution but they had failed to even examine the complainant. I find no infirmity in the order passed by the Court below.

The petition is devoid of merits and is dismissed.

July 12, 2016
reena

(ANITA CHAUDHRY)
JUDGE