

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

**CRR No.2649 of 2014(O&M)
Date of decision : 21.07.2016**

Mahender Kaur

..... Petitioner

versus

State of Haryana and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. Suresh Kumar Arya, Advocate for the petitioner.

Mr. Amrik Narwal, DAG, Haryana.

1. Whether Reporters of local papers 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?

AJAY TEWARI, J. (Oral)

This revision has been filed against the order of the Appellate Court reversing the conviction of the respondents and acquitting them of the charge. The trial Court had convicted them primarily on the evidence of the independent witness PW2. The Appellate Court, however, found that after being partly cross-examined PW2 did not turn up for further cross examination and consequently held that her testimony could not be read and, therefore, the respondents could not be convicted on the basis thereof.

Learned counsel for the petitioner has argued that PW3 was also an eye witness. However, with regard to PW3 the Appellate Court noticed that PW3 had come to the spot later.

In this view of the matter I do not deem it appropriate to take different view.

Petition is dismissed.

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SUNITA NAGPAL
2016/07/25 11:02
I attest to the accuracy and
authenticity of this document
Chandigarh

Since the main case has been decided, the Civil Misc.

Application, if any, also stands disposed of.

(AJAY TEWARI)
JUDGE

July 21, 2016
sunita