

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

CRR No.2644 of 2015 (O&M)

Date of decision: 11.01.2016

Suresh Rani

.....Petitioner

versus

Kanwarpal Singh and others

.....Respondents

CORAM: Hon'ble Mr.Justice Kuldip Singh

Present: Mr.Ram Kumar Chauhan, Advocate for the petitioner

- 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)

Impugned in the present revision is the order dated 14.5.2015, passed by the learned Additional Sessions Judge, Shaheed Bhagat Singh Nagar, vide which, the appeal filed by the accused against the judgment and order dated 1.5.2014 of the learned Sub Divisional Judicial Magistrate, Balachaur (S.B.S.Nagar) was allowed and they were acquitted of the charges under Sections 323 and 506 IPC.

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

It comes out that the present petitioner had filed a criminal complaint against the respondents under Sections 323, 341, 354, 452, 506 and 509 IPC. After recording the pre-charge evidence,

charges only under Sections 323 and 506 IPC were framed. First appellate Court has taken the view that major part of the occurrence regarding alleged tress-pass by the accused and attempt to outrage the modesty of the petitioner was disbelieved by the lower Court. The only charges proved before the lower Court were of causing simple injury. Appellate Court has also held that as per the statement of the Medical Officer, Civil Hospital, SBS Nagar the complainant had left the hospital against medical advice. There were only three injuries and possibility of these injuries as a result of fall or being self suffered can not be ruled out. Once the major part of the occurrence is disbelieved, the minor part attributed to the respondents has also to be disbelieved. There is no illegality or error in the judgment of the first appellate Court.

Consequently, the present revision is dismissed.

11.01.2016
gk

(Kuldip Singh)
Judge