

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

CRR No.2650 of 2015 (O&M)
Date of decision: 08.08.2016

Tarlochan Singh Petitioner

versus

State of Punjab & ors. . . . Respondents

CORAM: HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. S.S.Sidhu, Advocate
for the petitioner.

Mr. Ashish Sanghi, DAG, Punjab.

Ajay Tewari, J.(Oral)

CRM No.23647 of 2015

This is an application for condonation of delay of 71 days in filing the present revision petition.

For the reasons mentioned in the application, delay of 71 days in filing the revision petition is condoned.

CRM stands disposed of.

CRR No.2650 of 2015

This revision petition is directed against the concurrent acquittal of respondents No.2 & 3 in FIR No.137 dated 22.12.2010 registered under Section 304-A IPC at Police Station Raman, District Bathinda.

The respondents were officials of Punjab State Electricity Board.

As per the case of the prosecution, there was some leakage from electric wires in the fields of the Jaswant Singh, whose fields were adjoining to the fields of the petitioner and few days prior to the occurrence, one child namely Gurjinder Singh suffered a minor electric shock from the said wires. On complaint, respondents No.2 & 3 came there and asked the petitioner to show the wires from which

the current was emanating. The respondents assured the petitioner that electric supply to that wire has been disconnected. On the strength of that assurance, the brother of the petitioner reached near the wire but due to wrong assurance, the brother of the petitioner immediately attracted towards the said wire and died due to electric shock. The petitioner got registered a case against respondents No.2 & 3 under Section 304-A IPC.

Both the Courts below found that in the absence of postmortem report, the cause of death of the deceased could not be ascertained and consequently, acquitted respondents No.2 & 3.

Learned counsel for the petitioner has argued that Dr. Harbhajan Singh in the witness box has deposed that the deceased was alleged to have suffered electric shock.

In my opinion, this argument is not correct. Dr. Harbhajan Singh has nowhere stated that he had examined the deceased and had thereafter come to the conclusion that the cause of death of the deceased was electric shock.

In the circumstances, there is no illegality or perversity in the impugned judgments passed by the Courts below. Consequently, the present petition stands dismissed.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

August 08, 2016
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(AJAY TEWARI)
JUDGE

1. Whether speaking/reasoned?

Yes/No

2. Whether reportable?

Yes/No