

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

CRR NO.3029 of 2015 (O&M)

Date of decision : 02.08.2016

Rajinder Singh

..Petitioner

Versus

Rajwinder Kaur

..Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Harsh Aggarwal, Advocate
for the petitioner.

JITENDRA CHAUHAN, J. (Oral)

CRM-26689-2015

Heard.

For the reasons contained in the application, which is duly supported by an affidavit, same is allowed and delay of 23 days in filing the present revision petition is condoned.

Main Case

The instant revision petition has been filed by the petitioner, impugning the judgment dated 02.03.2015, passed by learned Additional Sessions Judge, Fast Track Court, Patiala, whereby, the revision petition filed by the respondent against the order dated 14.08.2013, passed by learned Judicial Magistrate Ist Class, Rajpura, has been allowed.

The learned counsel contends that there are specific allegations against the respondent that she caused injuries to the sister of the petitioner, which is duly corroborated by the statements of eye-witnesses, namely, Raghbir Singh and Sher Singh. While lodging the DDR, the petitioner-complainant was not aware about the role of the respondent, but after having the knowledge of her role, he mentioned her name in the complaint. Thus, the impugned judgment is absolutely against the facts and deserves to be set aside.

I have heard the learned counsel and perused the entire record on file.

The grievance of the petitioner is against the impugned judgment dated 02.03.2015, vide which the revision petition of the respondent has been allowed. The petitioner did not mention the name and role of the respondent in the alleged DDR nor he has given any satisfactory reply as to why he has not disclosed her name therein. Therefore, the possibility of false implication of the respondent cannot be ruled out and thus, the act of the petitioner appeared to be an after-thought process.

Accordingly, this Court does not find any ground to interfere with the impugned judgment, in exercise of its revisional jurisdiction, as no material evidence or any circumstance has come on record to establish that there is any defect of procedure or improper acceptance or rejection of evidence by the learned trial Court. This Court feels that the impugned

judgment has been passed after proper appreciation of evidence on record and application of judicial mind.

Consequently, the present revision petition fails and is hereby dismissed.

02.08.2016
ashok

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned: Yes / No

Whether reportable: Yes / No