

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

CRR No.3580 of 2015 (O&M)

Date of decision: 11.02.2016

Krishan

.....Petitioner

versus

Raj and others

.....Respondents

CORAM: Hon'ble Mr.Justice Kuldip Singh

Present: Ms.Priyanka Dalal, 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 judgment dated 5.6.2015, passed by learned Additional Sessions Judge, Sonapat, affirming the judgment of acquittal dated 23.5.2014, passed by the learned Judicial Magistrate 1st Class, Sonapat.

I have gone through the judgments of both the Courts below.

In this case, accused were acquitted on the ground that complainant made inconsistent statements. In the first version (Ex.PW2/A), he named two persons, namely, Rinku and Raj Singh but later on after ten days, he made supplementary statement and changed his version stating that only Rinku gave him lathi blow and thereafter, Rinku called Raj Singh, Dinesh, Ravinder, Joginder and

Pardeep. In his statement before the police, he did not state that Anita wife of PW3 Krishan Kumar was also present but in the Court he stated that Anita wife of PW Krishan Kumar was also given beatings. However, she was not taken to the hospital along with the complainant. Courts below found that the case put forward by the prosecution is not free from blemishes and there is smell of foul play in impleading the accused. Therefore, the prosecution version was disbelieved by the Court below. The findings have been upheld by the first appellate Court.

After going through the judgments, it is found that both the Courts below have given reasoning in support of the judgments. The Courts below have taken one of the two possible views. There is no illegality or perversity in the same. Therefore, in the exercise of revisional powers, this Court cannot interfere in the judgments of both the Courts below.

Resultantly, the revision petition stands dismissed.

11.02.2016

gk

(Kuldip Singh)
Judge