

CRR No. 3761 of 2014

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

CRR No. 3761 of 2014

Date of decision : December 01, 2016

Naseeb and others,

..... Petitioners

v.

State of Haryana and another,

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Ramender Chauhan, Advocate
for the petitioners.

Mr. Satish Saini, DAG Haryana

None for respondent No.2.

Ajay Tewari, J (Oral)

This revision petition has been filed against the judgment/order of the lower appellate Court reversing that of the trial Court and thereby convicting the petitioners under Sections 447/427 read with Section 34 of the IPC.

Allegation was that despite there being an interim order, the

petitioners had damaged the crop of respondent No.2 on four acres of

land with a tractor. The trial Court acquitted the petitioners but in appeal filed by the complainant, the lower appellate Court convicted the petitioners and imposed a fine of ₹ 2500/- on each of them for offences under Sections 447/427 of the IPC. The appellate Court held that the jamabandi Ex.PW7/A clearly reflected that the complainant and others were owners of the land and were cultivating the same. The Court also noticed that the only stand taken in cross-examining the complainant witnesses was that petitioner No.1 was infact the owner of the land and this was denied by the complainant-witnesses and despite having taken this positive stand, no material was placed by the petitioners to prove that in fact petitioner No.1 was the owner of the land. The lower appellate Court also found that the eye witness PW1 was a credible witness.

Counsel for the petitioners has not been able to show me how the finding arrived at by the lower appellate Court can be said to be vitiated. Consequently, this petition is dismissed.

December 01, 2016
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(AJAY TEWARI)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No