

In the High Court of Punjab and Haryana at Chandigarh

Criminal Revision No. 323 of 2016

Date of Decision: 17.08.2016

Tarawati

.....Petitioner

Versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. S.P.Chahar, Advocate
for the petitioner.

ANITA CHAUDHRY, J(ORAL)

This revision has been filed by the complainant aggrieved by the acquittal recorded by the Courts below.

Heard.

On a complaint made by Tarawati, an FIR was registered against Jasbir Singh and his elder brother Chhabil Dass and his wife Neelam under Sections 498-A, 406 IPC. The trial ended in conviction of the accused only under Section 498-A IPC. The accused had been acquitted under Section 406 IPC. Aggrieved with their conviction, the accused preferred an appeal bearing No. 32 of 2015 which came to be decided on 26.10.2015. The Appellate Court noted that Chhabil Dass and Neelam were living separately and had a separate ration card and electricity meter and acquitted the *Jeth* and *Jethani* while the appeal qua accused Jasbir (husband) was dismissed. A separate revision bearing No. 4791 of 2015 was filed by Jasbir and the Co-ordinate Bench vide order dated 2.2.2016 had reduced the sentence to the period already undergone. It was noted that the complainant

had re-married and Jasbir had already undergone actual custody of more than three months out of one year.

In this revision the complainant is aggrieved by the findings which led to the acquittal of *Jeth* and *Jethani*.

I have gone through the judgments of the Courts below. The allegations levelled by the complainant were that the *Jeth* and *Jethani* taunted the complainant for bringing less dowry and demanded cash. The Appellate Court had noted that after the disputes had arisen, a compromise had been effected in 2006 and Panchayats were held but the girl returned to her parents house and thereafter the FIR was lodged. The Appellate Court while going through the statements of the defence witnesses had recorded a finding that the *Jeth* and *Jethani* were living separately and this fact was admitted by the complainant herself and, therefore, there could not be any interference in the day-to-day matrimonial life.

I find no reason to take a different view. There is no merits in the revision and the same is dismissed.

(ANITA CHAUDHRY)
JUDGE

August 17, 2016
Gurpreet

Whether speaking/reasoned : **Yes/No**
Whether reportable : **Yes/No**