

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

**Criminal Revision No.4707 of 2015 (O&M)
Date of Decision:- 23.08.2016**

Bina

....Petitioner

Versus

State of Haryana and another

....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

**Present: Mr. Gautam Kaile, Advocate
for Mr. Rajiv Sharma, Advocate,
for the petitioner.**

RITU BAHRI, J. (Oral)

Petitioner has filed the present revision petition against order dated 27.08.2015, passed by learned Additional Sessions judge, Palwal, whereby the appeal filed by her against judgment of acquittal dated 27.04.2015, passed by learned JMIC, has been dismissed.

Concisely, the prosecution claimed that on 04.12.2010 a complaint was received from the office of Deputy Superintendent of Police, Palwal stating therein that complainant Beena got married to Kapil according to Hindu Rites and Ceremony. Sufficient dowry was given by her father at the time of marriage. Thereafter, her mother-in-law started harassing and her sister-in-law tried to ablaze her. Her husband used to give her electric shot. All the accused had beaten her badly on account of

demand of dowry and she has an apprehension that they will kill her. Consequently, on the basis of said complaint, FIR No.480 dated 04.12.2010 under Sections 498-A, 323, 406, 506 IPC, by police of Police Station Sadar, District Palwal, has been registered against the accused persons.

As is evident from the record that the prosecution has examined six witnesses in its evidence. PW-1, who was complainant, stated that after her marriage the accused persons started beating her for dowry. They demanded an Alto car and ₹50,000/-. She failed to tell the specific months or date when the demand was made on which she was beaten for dowry. As per deposition of PW-2, father of the complainant, after the marriage her daughter remained at her matrimonial home only for one and half month. In his cross-examination, he has stated that after 15th August, 2009, his daughter never went to her matrimonial home. As per complaint Ex.PW1/A, on 13.06.2010 the complainant was badly beaten by the accused persons and was thrown out of her matrimonial house. Since, the complainant never went back to her matrimonial home after 15.08.2009, so, the story of the prosecution was disbelieved and the allegations of demand of dowry were found to be incorrect. The accused has been acquitted by the Courts below on the ground that complaint based on vague and general allegations regarding dowry articles and mis-appropriation thereof.

After hearing the learned counsel for the parties, going through the record, this Court is of the considered view that the judgment of acquittal has been passed after appreciating the evidence in the correct prospective and does not require any interference. Such judgments containing valid reasons, cannot possibly be interfered with by this Court, in

Cr.P.C., unless and until, the same is illegal, perverse and without jurisdiction. Since, no such patent illegality or legal infirmity has been pointed out by the learned counsel for the petitioner, so, the impugned judgment deserve to be and is hereby maintained in the obtaining circumstances of the case.

In the light of aforesaid reasons, as there is no merit, therefore, the instant revision petition is hereby dismissed as such.

August 23, 2016
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(RITU BAHRI)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No