

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

Criminal Appeal S-1790-SBA of 2004

Date of Decision: August 24, 2017

State of Haryana	Versus	Appellant
Ram Niwas Rohila		 Respondent

CORAM : HON'BLE MR. JUSTICE T.P.S.MANN

Present : Mr. Praveen Bhadu, Asstt. Advocate General
Haryana.

Mr. Balbir Kumar Saini, Advocate for
Mr. Ram Niwas Sharma, Advocate
for the respondent.

T.P.S.MANN, J. (Oral)

The instant appeal had been filed by the State against the judgment dated 9.9.2003 passed by the learned Chief Judicial Magistrate, Jind, whereby, the accused/respondent stood acquitted of the charge under Section 167 IPC.

The case of the prosecution, in nutshell, was that as per record of the SDO, Sub-Division, HVPNL, Julana, category-wise units was shown in the abstract ledger different from main abstract shown in abstract ledger which are higher

than the category-wise, which were shown that some excessive units were added to reduce the line losses but it was not reflected the normal loss to the HVPNL. It was made just to keep the line losses within limit of the Board's norms. On the basis of the letter, present case was registered against the accused. Investigation was carried out.

In support of its case, the prosecution had examined PW1 Yashwant Singh, CA, PW2 Shri Ram Sharma, retired J.E., PW3 Jamil Ahlmad, PW4 SI Om Parkash, PW5 SI Virender Singh, PW6 J.R. Garg, Private Secretary, PW7 Ranjeet Issar, IAS, Joint Secretary, PW8 Azad Singh Inspector and PW9 A.R. Gupta, Retired Chief Engineer.

Statement of accused was recorded under Section 313 Cr.P.C. wherein he pleaded his innocence and false implication in this case.

In defence, accused had examined DW1 J.R. Sethi, Assistant from the office of M.D., UHBVN, Panchkula and had closed defence evidence.

It is an admitted fact that in the departmental inquiry, the accused was directed to remain more careful instead of committing lapses. Further, at one point, the department had made up its mind to withdraw the FIR against the accused/respondent.

In view of the above, there is no merit in the appeal,
which is accordingly dismissed.

August 24, 2017
amit rana

(T.P.S. MANN)
JUDGE

Whether reasoned/speaking	Yes/No
Whether reportable	Yes/No