

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

**CRM-A-1706-MA of 2016
Date of Decision: 28.08.2017**

Neetu

... Applicant

Versus

State of Punjab & ors.

... Respondents

**CORAM:- HON'BLE MR. JUSTICE T.P.S. MANN
HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU**

Present: Mr. S.S. Rangji, Advocate,
for the applicant.

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

Complainant-Neetu, who is wife of deceased Arjun Singh, has filed the present application under Section 378 of the Code of Criminal Procedure, for challenging the judgment dated 28.4.2016 passed by the learned Additional Sessions Judge, Ludhiana, to the extent of acquitting accused-respondents No.2 to 4 of the charges under Sections 365/302/201/404 read with Section 34 IPC.

Chamkaur Singh, co-accused of respondents No.2 to 4 already stands convicted under Sections 302/365/201 IPC and sentenced to undergo imprisonment for life and against his conviction and sentence, he has filed CRA-D-678-DB-2016, which stands admitted.

According to the prosecution, accused/respondents No.2 to 4 along with Chamkaur Singh were last seen by Shingara Singh PW in the company of deceased Arjun Singh. However, Shingara Singh was not examined by the prosecution in support of its case. Further, the

prosecution had collected evidence of extra-judicial confession made before PW-12 Surjit Singh. However, the said confession is shown to have been made by Chamkaur Singh accused only and not by respondents No.2 to 4. Further, though respondent No.3-Gurnam Singh had suffered disclosure statement that he could get the safa recovered, which he had used in commission of the crime, but the same could not be recovered as he had misplaced the same. Still further, respondent No.2-Satwinder Singh had got recovered the mobile of deceased Arjan Singh, whereas respondent No.4-Tarsem Singh had got recovered wallet containing photocopy of the driving licence of the deceased. However, the recoveries were said to have been effected after five months of the occurrence.

In view of the above, no fault can be found with the impugned judgment passed by the learned trial Court to the extent of acquitting respondents No.2 to 4 of the charges against them.

The application is without any merit and therefore, dismissed. Leave to appeal is declined.

(T.P.S. MANN)
JUDGE

(MAHABIR SINGH SINDHU)
JUDGE

28.08.2017
monika

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No