

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

**CRM-A-1131-MA of 2017
Date of Decision: July 20, 2017**

Satish Kumar		Applicant
	Versus	
Rajender Singh and another		 Respondents

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

Present : Mr. Sanjiv Kumar Aggarwal, Advocate
for the applicant.

T.P.S.MANN, J.

Applicant-Satish Kumar, who is father of the deceased has filed the present application under Section 378(3) Cr.P.C. for grant of leave to appeal against the judgment dated 23.2.2017 passed by Additional Sessions Judge, Special Court, Sonipat.

Vide impugned judgment, the learned trial Court acquitted, Rajender Singh, respondent No.1 herein, father-in-law of the deceased of the charges under Section 304-B read with Section 34 IPC. However, accused Jarnail Singh, husband of the deceased was convicted under Section 304-B IPC and sentenced

to undergo imprisonment for seven years.

After hearing learned counsel for the applicant and on going through the impugned judgment, this Court finds that though there were specific allegations levelled against Jarnail Singh, husband of the the deceased, only general allegations were levelled against Rajender Singh, father-in-law of the deceased. According to the prosecutrix, accused Rajender Singh alongwith his brother Karan and his wife used to support accused Jarnail Singh. PW3 Satish Kumar (the applicant) admitted during cross-examination that deceased Swati was with Jarnail Singh at Bombay in the month of July, 2015 and during the period of her employment, she used to visit her parents' house daily. Neither PW3 Satish Kumar, father of the deceased, PW5 Raj Singh, uncle of the deceased and PW6 Suresh Kumar, another uncle of the deceased did not utter a single word regarding demand of dowry by accused Rajender Singh. On the other hand, there being specific allegations against accused Jarnail Singh, the trial Court has convicted and sentenced him under Section 304-B IPC. However, this Court restrains itself from commenting on the commission of offence under Section 304-B IPC by accused Jarnail Singh as he has already filed an appeal for challenging his conviction and sentence.

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

(T.P.S. MANN)
JUDGE

July 20, 2017
amit rana

(MAHABIR SINGH SINDHU)
JUDGE

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