

In the High Court of Punjab & Haryana at Chandigarh.

CRM-A-1220-MA-2017
Date of decision: 04.08.2017

STATE OF HARYANA

..... APPLICANT

VS.

NITTU AND OTHERS

..... RESPONDENTS

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

Present: Mr. Kapil Aggarwal, Addl.A.G.Haryana.

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

In order to seek conviction of respondents No.2 and 3, the prosecution had relied upon the statement Ex.P23 made by Suman, since deceased, before the Judicial Magistrate 1st Class, Rohtak, soon before her death. In the said statement which stands reproduced in Para 54 of the impugned judgment, the deceased alleged harassment at the hands of her husband which compelled her to consume poison and end her life. She did not utter a single word against Jitender, her brother-in-law and Savitri, her mother-in-law of having harassed her. So much so, it was the husband who was said to have turned her out of the matrimonial home and asking her to bring a sum of ₹10 lac from her family members as he was to construct a house.

In view of the above, no fault can be found with the impugned judgment to the extent of acquitting respondents No.2 and 3, namely, Jitender and Savitri of all the charges against them.

As regards the acquittal of Nittu, husband of the deceased, of the charges under Sections 313 and 406 IPC is concerned, this Court finds

that the prosecution has not brought any material on record to substantiate its case. As such, no case is made out for any interference in the impugned judgment of acquittal to the extent of acquitting Nittu-accused under Sections 313 and 406 IPC and of Jitender and Savitri accused of the charges under Sections 406/498A/304B and 313 IPC.

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

(T.P.S. MANN)
JUDGE

(MAHABIR SINGH SINDHU)
JUDGE

04.08.2017.
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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No