

**202-A IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRR No. 3629 of 2016 (O&M)

Date of Decision: 18.09.2017.

Mamta Devi

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM : Hon'ble Mr. Justice Jitendra Chauhan

Present : Mr. M.S. Atwal, Advocate,
for the petitioner.

JITENDRA CHAUHAN.J.(ORAL)

This revision is directed against the judgment dated 11.05.2016, passed by Additional Sessions Judge, Hoshiarpur vide which respondent No.2 had been acquitted whereas, respondent No.3 had been released on probation of good conduct for a period of one year on her furnishing personal probation bonds in the sum of Rs.20,000/-.

It is contended that the lower appellate Court has failed to appreciate that there was a specific demand of motor cycle and of cash made by the in-laws of the complainant and in order to fulfill the same complainant's mother had raised a loan of Rs.65,000/- from the bank and handed over the same to respondent No.3 (mother-in-law). The lower appellate Court has failed to appreciate the injuries caused to the complainant while she was subjected to beatings by her in-laws.

Heard.

The lower appellate Court after considering the material on record has observed that the entire evidence of complainant Mamta Devi and her mother Bholi Devi lacks specificity with regard to demand of dowry articles, date, time and place of the alleged cruelty. The complainant in her deposition has specifically admitted that she had dispute with her husband only whereas, no role has been attributed to respondent No.2.

As regards respondent No.3 i.e. mother-in-law, keeping in view her age and feeble health as she was unable to stand properly due to weakness and considering the fact that no physical violence had been caused by her, the lower appellate Court released her on probation of good conduct for a period of one year on her furnishing personal probation bonds in the sum of Rs.20,000/- with an undertaking not to commit any offence during that period and will come present and receive sentence imposed by the trial Court as and when called upon by the Court in case of violating the conditions of probation bonds.

This Court has gone through the case file carefully.

The finding of acquittal qua respondent no.2 Narinder Singh (father-in-law) does not suffer from any illegality or irregularity calling for interference in exercise of revisional jurisdiction. Except the allegations, there is no evidence on record to substantiate the offence. The allegations too are general in nature. They lack specificity with regard to demand of dowry, time and place of cruelty.

As far as respondent No.3 (mother-in-law) is concerned, she was released on probation for a period of one year. At this stage, the period of one year has already elapsed. Keeping in view her age and health status, this Court does not find any reason to interfere in the judgment releasing her on probation. Even there is unexplained delay of 39 days in filing the present revision petition.

In view of above, the present revision petition is dismissed on merit as well as being time barred.

18.09.2017.
SN

(JITENDRA CHAUHAN)
JUDGE

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