

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

CRM-A No. 2234/MA of 2016 (O&M)

Date of decision: 13.11.2018

Balbir Singh

.. Applicant

vs

State of Punjab and others

.. Respondents

**Coram: Hon'ble Mr. Justice Rajesh Bindal
Hon'ble Mr. Justice Manoj Bajaj**

Present Mr. Gurcharan Dass, Advocate, for the applicant.
Mr. Harbeer Sandhu, Assistant Advocate General, Punjab.

Rajesh Bindal, J.

The present application for grant of leave to appeal has been filed by the complainant against acquittal of respondent nos. 2 to 6 for offence under Section 452 IPC and for awarding maximum sentence under Sections 326, 148, 149, 325, 323 IPC as they have been convicted and sentenced in a private complaint by the learned trial court vide judgment dated 30.9.2016. They have filed appeal bearing CRA-S No. 3749/SB of 2016. Respondent no. 7 has been acquitted for all offences.

In view of the judgment of Hon'ble the Supreme Court in Mallikarjun Kodagali (Dead) represented through Legal Representatives vs State of Karnataka and others, 2018 (4) RCR (Criminal) 781, the complainant has the right to file appeal. Hence, leave to appeal is granted.

The office is directed to register the appeal.

Admitted.

To be heard with the aforesaid appeal.

Presence of respondent nos. 2 to 7 be secured through bailable
warrants.

(Rajesh Bindal)
Judge

13.11.2018
vs

(Manoj Bajaj)
Judge

Whether speaking/ reasoned

Yes/No

Whether Reportable

Yes/No