

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

CRM-A-798-MA of 2016(O&M)

Date of decision : 15.05.2018

Geeta Rani

..... Applicant

versus

Raj Kumar and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Mohit Jaggi, Advocate for the applicant.

SURINDER GUPTA, J. (Oral)

CRM-12914-2016

Heard. There is delay of 142 days in filing the appeal.

In view of facts mentioned in the application which is supported by an affidavit, the same is allowed and delay of 142 days in filing the appeal is, hereby, condoned.

CRM-A-798-MA of 2016

Heard. The respondents have faced trial for offence punishable under Section 323 IPC on the complaint filed by Geeta Rani-applicant who were acquitted as witnesses CW2-Baljit Kumar and CW3-Balbir Kumar examined by her, did not support her version regarding the occurrence. Regarding the injuries suffered by her, no doctor was examined. It was also proved on file that husband of complainant is a tenant in the shop of respondents and the litigation between them was pending. Copies of that litigation Ex.D1 to Ex.D3 were placed on record. The uncorroborated

statement of the complainant was not found credible by the learned trial Court to record conviction of the respondents and to pass order of sentence. On perusal of the judgment of the Court below, I find no reason to interfere with the same.

No reason is made out to allow the application under Section 387(4) Cr.PC. and to grant leave to appeal, which has no merit and the same is dismissed.

(SURINDER GUPTA)
JUDGE

15.05.2018
sunita

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No