

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

**CRM-A-2622-MA-2017(O & M)
Date of decision: 09.03.2018**

Raj Devi

.....Applicant

Versus

State of Haryana and another

....Respondents

**CORAM: HON'BLE MR. JUSTICE A.B. CHAUDHARI
HON'BLE MR. JUSTICE INDERJIT SINGH**

Present: Mr. Rajinder Goyal, Advocate,
for the applicant.

A.B. CHAUDHARI , J (Oral)

CRM-40025-2017

Heard.

For the reasons mentioned in the application, delay of 20 days in filing the application seeking leave to appeal is condoned.

The application stands allowed accordingly.

CRM-A-2622-MA-2017

We have heard learned counsel for the applicant-victim in the present appeal against acquittal that has been filed against the impugned judgment dated 31.05.2017 passed in C.I.S. (S.C.) No.119 of 2016 by learned Additional Sessions Judge, Kurukshetra.

We have gone through the reasons given by the trial Court and the discussion of the evidence that has been made. Undoubtedly, there has

been a dispute about the transfer of property between the accused and the present applicant. Not only that, the present applicant had been in Italy and as per the story, when she came back, she was subjected to sexual harassment and offence of rape. We, however, find as rightly found by the trial Court that there was a delay of three years in reporting the matter and coupled with the fact that this is a matter of exchange of transfer of property, it was risky to convict the accused in the background of the fact that the prosecutrix-victim was always in a mood to settle the matter, rather than to initiate the criminal proceedings. We find that the view taken by the trial Court can be possible and is reasonable and based on the evidence. There is no reason for us to suspect the view taken by the trial Court in the light of the parameters in respect of interference in the appeal against acquittal. In the result, we do not find any merit in the present appeal.

Hence, the application seeking leave to appeal against the judgment of acquittal is dismissed.

(A.B. CHAUDHARI)
JUDGE

(INDERJIT SINGH)
JUDGE

09.03.2018
parveen kumar

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