

In the High Court of Punjab and Haryana at Chandigarh

Crl. Revision No. 4873 of 2016

Date of Decision: 24.9.2018

Mamta

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. S.P.Chahar, Advocate
for the petitioner.

ANITA CHAUDHRY, J

This revision is directed against the judgment of acquittal recorded by the Magistrate and confirmed by the Additional Sessions Judge, Bhiwani.

Brief facts are being sketched. Mamta was married to Manjeet in March 2008. The allegations levelled by her were that since from the very first day of the marriage, the husband and the in-laws were not satisfied with the dowry and threw taunts. The complainant did not bring the facts to the notice of the family then but with passage of time when the situation did not improve and they started beating her and threats were given as the husband and the father-in-law were in Haryana police. The complainant brought the facts to the notice of the parents later on who intervened and asked the accused to mend their ways but no improvement was found. The complainant was kept hungry for days and she slept without food on number of occasions. In 2009, the mother-in-law took away the jewellery on the pretext that her own daughter was to be married and therefore the jewellery needed to be kept safe but thereafter she was thrown out of the house. On

the occasion of *Makar Sakranti*, her father, uncle, cousin and a retired teacher went to the matrimonial home but the in-laws family misbehaved with them and insulted them before the panchayat. On these allegations, FIR was lodged.

Investigation was completed and challan was presented against the husband and mother-in-law.

At the trial, the complainant examined eight witnesses. The accused did not lead any evidence in defence.

The trial Court noted that there was no medical evidence to support the allegations that she was beaten up. It also noted that none of the witness could give the date, month or year when the demand was made or the articles which was demanded. It noted that the prosecution had failed to produce the list of dowry articles purchased and entrusted to them. No member of the panchayat was examined. The trial ended in acquittal.

Aggrieved with the judgment, an appeal was preferred and the Additional Sessions Judge dealt with all the issues raised by the appellant.

I have heard the counsel for the petitioner.

The scope for interference in a revision in a criminal case is limited. Both the Courts below have referred to the evidence and did not find any evidence to record a conviction. The judgments of both the Courts below cannot be said to be perverse, irrational or illegal on the face of it and does not call for any interference.

The petition is dismissed in *limine*.

(ANITA CHAUDHRY)
JUDGE

September 24, 2018
Gurpreet

Whether speaking/reasoned	:	Yes
Whether reportable	:	No