

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

**CRR-1047-2017 (O&M)
Date of decision: 26.04.2018**

Deepak Sharma

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- None for the petitioner.

Mrs. Anju Arora, Addl. A.G., Punjab.

JAISHREE THAKUR, J. (Oral)

This revision petition has been filed seeking to challenge the judgment of conviction dated 19.01.2015 and order of sentence of the even date, passed by the Judicial Magistrate First Class, Bathinda as well as the judgment in appeal dated 14.12.2016, passed by the Additional Sessions Judge, Bathinda affirming the conviction of the petitioner herein.

In brief, the facts are that the petitioner herein solemnized a marriage with Meenakshi (complainant herein) on 14.02.2009 according to Hindu rites and rituals. At the time of marriage, sufficient dowry articles were given, however, the complainant was subjected to cruelty and harassment on account of bringing inadequate dowry. She was pressurized to bring a sum of ₹50,000/- as cash along with a motorcycle and on account of non-fulfillment of the said demand, she was maltreated and turned out of her matrimonial home. A complaint was filed before the SSP, Bathinda who in turn marked the same to the Women Cell, Bathinda which ultimately led to the registration of an FIR. The matter was investigated and a prima facie

case for committing offence punishable under Sections 498-A and 406 read with 34 of the IPC was made out against the petitioner herein and his parents. On appreciation of the evidence led, the JMIC, Bathinda came to the conclusion that the petitioner herein and his parents were guilty of committing offence punishable under Sections 498-A IPC, however, they were acquitted of the charges framed under Section 406 IPC. The judgment of conviction was subsequently challenged in the appeal. In the said appeal, the Additional Sessions Judge, Bathinda by judgment dated 14.12.2016 exonerated the father and mother of the petitioner while affirming the judgment of conviction qua the petitioner herein. Hence, the petitioner has filed the present revision petition along with an application seeking suspension of his sentence during the pendency of the revision petition.

By an order dated 27.03.2017, on the oral request of the petitioner, complainant Meenakshi was impleaded as party respondent No. 2 to this petition. It was ordered that subject to deposit of ₹20,000/- towards litigation expenses, notice of motion be issued to respondent No. 2/complainant returnable for 17.07.2017. On 17.07.2017, since the court time was over, the matter was adjourned to 08.12.2017. On 08.12.2017, this Court adjourned the matter to 16.12.2017 while taking note of the fact that there was no representation on behalf of the petitioner. The matter was again adjourned on two dates on account of non-appearance of the counsel for the petitioner.

The matter has been taken up today for hearing. Learned counsel for the respondent-State files a custody certificate which would reflect that the petitioner has been released from custody on 12.02.2017 after completion of actual sentence and giving the benefit of jail remissions

for the period of two months and twenty three days. It also finds mention that the amount of fine has already been deposited in the Court. It is also taken note of that notice could not be issued to respondent No. 2 in terms of the order dated 17.03.2017 as the litigation expenses of ₹20,000/- had not been deposited with the Registry of this Court.

In view of the facts stated above, it appears that the petitioner, who has been released from jail on completion of his sentence, is not interested in pursuing the present revision petition. Therefore, the present revision petition is disposed of accordingly.

However, in case the petitioner wants to argue the matter on merits, he is at liberty to move an appropriate application for revival of this petition, subject to deposit of ₹20,000/- as litigation expenses along with said application.

26.04.2018

Waseem Ansari

**(JAISHREE THAKUR)
JUDGE**

*Whether speaking/reasoned
Whether reportable*

*Yes/No
Yes/No*