

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRR-1081-2018 (O&M)

Date of Decision: 26.11.2018

VK Tyers

.... Petitioner

Versus

State of Haryana and another

.... Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr. MK Mittal, Advocate for the petitioner.

RAMENDRA JAIN, J. (ORAL)

The complainant-petitioner through this revision has laid challenge to the judgment of the Ist Appellate Court dated 24.10.2017, affirming the judgment of acquittal of the trial Court dated 08.02.2016, whereby it acquitted respondent No. 2-Shakur Khan.

In nutshell, respondent No. 2 was booked in case FIR No. 124 dated 09.04.2013 registered under Sections 406 and 506 IPC, Police Station Tauru. After holding trial, he was acquitted by the trial Court vide judgment dated 08.02.2016

Being aggrieved, the petitioner-complainant filed revision/appeal before the Ist Appellate Court, but remained un-successful as the same too was dismissed vide judgment dated 24.10.2017.

Learned counsel for the petitioner *inter alia* contends that both the Courts below have failed to appreciate that PW-2 Karam Singh,

had fully proved the case against respondent No. 2, for abusing the petitioner, on demand of payment of tyres, which respondent No. 2 had purchased from him. Both the Courts below also failed to appreciate that respondent No. 2 had also admitted before the police, in his confessional statement that he borrowed tyres, on credit basis from the petitioner and did not make the payment.

Having given anxious consideration to the submissions made by learned counsel for the petitioner, this Court finds the instant revision completely devoid of any merit for the reasons to follow:-

No question of law much less substantial has been raised in this revision.

On going through the judgments of both the Courts below, this Court finds no scope for interference in the same, inasmuch, as both the judgments are based on correct appreciation of evidence.

The matter seems to be of civil nature in between the parties which was given a colour of criminal action by the petitioner, but did not succeed.

Dismissed.

November 26, 2018

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(RAMENDRA JAIN)

JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No