

In the High Court of Punjab and Haryana at Chandigarh

**Crl. Revision No. 4180 of 2017 (O&M)
Date of Decision: 09.5.2018**

Manpreet Kaur

.....Petitioner

Versus

Paramjeet Singh and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Surinder Mohan Sharma, Advocate
for the petitioner.

ANITA CHAUDHRY, J

CRM-36749-2017

Application is allowed for the reasons stated therein.

Delay of 151 days in filing the revision is condoned.

CRR-4180-2017

This revision has been directed against the judgments of both the Courts. Both the Courts have acquitted the accused.

The FIR in this case was registered after a complaint was sent by the Chief Judicial Magistrate, Ambala to the police under Section 156(3) Cr.P.C. The marriage of the complainant was solemnized with Paramjeet Singh in October 2010. It was claimed that the complainant was being tortured for dowry and she was abused and a *biradari* meeting was held on 2.2.2011 and the accused was persuaded not to harass her. The allegations are that the complainant was beaten on 6.2.2011 and shunted her out from the matrimonial home. The complainant was medically examined on

The trial Court found that no evidence was led to show that the brother of the complainant had paid Rs. 50,000/- to the accused. A finding was recorded that there were general allegations. It also rejected the medical evidence. The medical officer did not notice any external mark of injury and acquitted the accused.

An appeal was preferred before the Additional Sessions Judge and the order was maintained and the appeal was dismissed.

Counsel for the petitioner contends that there was an MLR which corroborated the oral testimony and the charge under Section 323 IPC was proved. He also refers to the MLR.

I have heard the counsel for the petitioner.

The MLR Annexure P-3 shows that the first complaint is pain in the middle of the skull but no external mark of injury was seen. The second injury was a healed wound on the right forearm. The medical officer had given its opinion that they could not assess the period when it could have been inflicted. It is also noted that as told by the patient the injury was 15 days old. The medical was conducted on 10.2.2011. According to the complainant the injuries were inflicted on 6.2.2011. The injury is older than four days. Both the Courts doubted the evidence and the trial Court rightly recorded acquittal of the respondents. I see no reason to take a different view.

The petition is dismissed in *limine*.

**(ANITA CHAUDHRY)
JUDGE**

May 09, 2018
Gurpreet

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