

CRR-4347 of 2017 (O&M)

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

CRR-4347 of 2017 (O&M)
Date of decision: 15.10.2018

Roshan Lal

.....Petitioner

versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present:- Mr. Vinod Bhardwaj, Advocate, for the petitioner.

RAMENDRA JAIN, J. (ORAL)

Through this revision, challenge has been laid to judgment of the First Appellate Court dated 24.10.2017, affirming the judgment of the trial Court dated 08.02.2017, acquitting the private respondents.

Briefly, respondents No.2 to 5 were booked, tried and acquitted after holding trial vide judgment dated 08.02.2017 in case FIR No.27 dated 19.03.2013 registered under Sections 323, 325, 506/34 IPC at Police Station Kalayat, on the allegations that in the evening of 14.03.2013, respondent No.2 slapped the son of the petitioner and after slapping gave a *lathi* blow on the head of his son, whereas respondent No.3 gave a *gandasi* blow on the head of his son and then respondent No.2 again gave a *lathi* blow to his son.

Against the judgment of the trial Court, petitioner approached First Appellate Court, but remained unsuccessful as his appeal too was dismissed vide impugned judgment dated 24.10.2017.

Heard.

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who while appearing as PW4 could not specify any injury allegedly caused by private respondents to him. Even statement of petitioner was general and vague. PW1 wife of the complainant, namely, Shanti Devi simply testified that she and her son were caused injuries by private respondents, without specifying the role of each of the respondents. In cross-examination, she admitted that she could not see which injury was caused by which respondent. Even the petitioner simply named respondent No.3 for causing injuries to his son, altogether contradictory to his version in the complaint, which had culminated into FIR. In cross-examination, petitioner admitted that due to night and darkness, he could not see the entire incident, which was disclosed to him by his children as he was present inside the house. Police official had met him after one month of the incident, but could not disclose at which place his thumb impression was obtained on the complaint allegedly moved by him to the police. Therefore, it is evident that there is no iota of evidence against the private respondents.

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

I have gone through the impugned judgments and find no illegality or perversity in the same.

In view of the discussion above, instant petition is dismissed.

(Ramendra Jain)
Judge

October 15, 2018
R.S.

Whether speaking/reasoned Yes/No

Whether reportable Yes/No