

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

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**RSA-2285-2015 (O&M)
Date of Decision : 01.08.2018**

Gurdarshan Singh and others Appellants

Versus

Gurmeet Kaur and another Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Harkesh Manuja, Advocate
for the appellants.

AJAY TEWARI, J. (ORAL)

This appeal has been filed against the concurrent judgments of the courts below decreeing a suit for recovery of Rs.10,80,000/- filed by the respondent No.1.

The case of the respondent No.1 was that the appellants had murdered her son who was doing agriculture work beside mechanical work and she claimed damages for the same. Both the courts below having decreed the suit the appellants are before this court.

Counsel for the appellants has argued that the courts below have relied upon the eye witness PW8 Daljit Singh and cross-examination of PW8 indicates that he was not present at the site. He has taken me through the cross-examination of PW8 Daljit Singh and has relied upon the following statement/sentences:-

“I have not given any intimation to the police or any respectable member of my village regarding taking away of Simranjit Singh by Gurbir Singh. Volunteered I have intimated in his house only to his parents. I have not accompanied the parents of Simranjit Singh to the police.....”

As per the counsel, this shows that Daljit Singh was not present at the spot. In my opinion, no such conclusion can be drawn by this statement. Moreover, the counsel has fairly accepted that conviction of the appellant No.1 has now become final and he is undergoing his sentence.

In the circumstances, no fault can be found with the judgments of the courts below.

Appeal is dismissed. No costs.

Since the main case has been decided, the pending civil miscellaneous application, if any, also stands disposed of.

August 01, 2018
ashish

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No