

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-A-332-2019(O&M)

Date of decision: 16.11.2019

Smt. Rahisa

.....Appellant

Versus

Islam and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr.G.C.Shahpuri, Advocate for the appellant

ANIL KSHETARPAL, J. (ORAL)

Special Leave to Appeal has been sought against judgment of acquittal passed by the learned Sub Divisional Magistrate, Bilaspur.

Learned Judicial Magistrate has recorded following findings:-

i) In the complaint, Rahisa has attributed that injury no.1 was inflicted by the accused-Yasin. However, when she appeared in evidence, she deposed that injury no.1 has been inflicted by Islam.

ii) In the complaint, the complainant had alleged that injury no.2 was inflicted by Parvej. However, when she appeared in evidence, she remained silent with regard to role of Parvej.

iii) As regards injuries to CW 3-Nasima, the medical evidence does not corroborate oral evidence.

iv) Complainant side has been convicted for causing injuries to the accused side vide judgment dated 15.10.2016.

This Court has heard learned counsel for the appellant at length and with his able assistance has gone through the paper book. Learned counsel for the appellant although made sincere attempts, however, in the absence of any perversity or substantive error in the judgment passed by the Judicial Magistrate, this Court is not inclined to grant special leave to appeal.

Dismissed.

In view of the order passed on merits, no further order on application for condonation of delay is required.

16.11. 2019

rekha

Whether speaking/reasoned

Whether Reportable

(ANIL KSHETARPAL)

JUDGE

Yes / No

Yes / No