

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

**CRA-AS-108-2019 (O&M)
Date of Decision: 27.11.2019**

Mr. Sukamal Paul

...Appellant

Versus

State of Haryana and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Alex Joseph, Advocate for the appellant.

ANIL KSHETARPAL, J.

CRM-9791-2019

For the reasons stated in the application, which is supported by an affidavit, delay of 113 days in filing the appeal is condoned.

CRM stands disposed of.

Main case

This Court has heard the learned counsel for the appellant at length and with his able assistance gone through the impugned judgment of acquittal passed by the learned Magistrate in a criminal case arising from FIR No. 396 dated 29.05.2013 registered under Section 420/34 IPC at Police Station City Ballabgarh, Faridabad.

First informant Late Shri Vimal Kumar had lodged a complaint with the police against his son and daughter-in-law alleging that a registered sale-deed has been got fraudulently executed from the first informant on 18.04.2012.

Learned trial Court, after appreciating the evidence, has recorded following reasons to pass the judgment of acquittal:-

“(i) Complete evidence of first informant could not be recorded, as he had died. The alleged attesting witnesses of the sale deed have not been examined. Sub-Registrar, who registered the sale deed, has also not been examined.

(ii) There is not an iota of evidence to prove that the sale deed is result of cheating and fraud.”

The dispute between the parties is of civil nature. There is a presumption of correctness of a registered document i.e. sale deed and such presumption has not been rebutted.

Learned counsel appearing for the appellant made sincere attempt, however, failed to draw attention of the Court to any substantive error or perversity in the impugned judgment. Hence, the appeal is dismissed.

27.11.2019
mks

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No