

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-A-1114-MA-2017(O&M)

Date of decision: 11.12.2019

Rehmal Dass

.....Appellant

Versus

Harbans Singh and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr.D.S.Gurna, Advocate for the appellant

Mr. Prashant Bansal, Advocate for the respondents

ANIL KSHETARPAL, J. (ORAL)

Leave to appeal has been sought against judgment of acquittal passed by learned Judicial Magistrate First Class while dismissing the complaint under Sections 323, 324, 341, 504, 506, 34 IPC.

Learned Judicial Magistrate on appreciation of evidence has found that complainant has miserably failed to prove its case. The Court has held that deposition of Balkar Singh CW2 is full of contradictions and confusion. Exact location of the site of alleged occurrence is not clear. Balkar Singh has deposed that Parkash Singh was not present whereas Parkash Singh, who has also been examined by the prosecution, deposed that he was present at the time of occurrence. Further, it has come in evidence that there was some dispute between the parties with regard to financial transactions. Further Parkash Singh during examination has stated that Rehmal Dass-appellant himself stopped his motorcycle for inquiring

from the accused regarding financial transaction. Further reading of the statement of Rehmal Dass-appellant proves that he is ignorant about important facets of the present case.

Learned Judicial Magistrate has drawn a reasonable and probable conclusion on appreciation of evidence. Learned counsel for the appellant, although made sincere attempt, however failed to draw attention of the Court to any substantive error or perversity in the judgment. Hence, no ground to grant leave to appeal is made out.

Dismissed.

11.12. 2019	(ANIL KSHETARPAL)
rekha	JUDGE
Whether speaking/reasoned	Yes / No
Whether Reportable	Yes / No