

CRM-A-1728-MA of 2014

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

CRM-A-1728-MA of 2014
Date of Decision: 25.03.2019

Sarwan Singh

...Applicant

Versus

Jeet Singh and others

....Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present:- Mr. Rahul Vats, Advocate, for the applicant.
Mr. Samir Rathaur, Advocate,
for Mr. Sumeet Goel, Advocate, for respondents No.2 and 3.
Mr. Raj Kumar Makkar, Sr. DAG, Haryana.

RAMENDRA JAIN, J. (ORAL)

Through instant application under Section 378(4) read with Section 482 Cr.P.C., applicant-complainant has sought permission to file appeal against judgment of the trial Court dated 29.08.2014, dismissing his complaint under Sections 205, 209, 419, 420, 467, 468, 471, 417/34 IPC.

Briefly, applicant filed complaint against respondents No.1 to 3 (in short 'private respondents') and one Niranjana Singh, who died during the pendency of the complaint, under aforesaid Sections, on the allegations that in a civil suit filed by deceased Niranjana Singh against general public and applicant, a forged written statement purportedly to be thumb marked and signed by one Charan Kaur, defendant No.7, admitting the claim of private respondents, was filed after three years of her death. On the basis whereof, their suit was decreed, illegally. It was never signed/thumb marked by Charan Kaur-defendant No.7, rather, she was impersonated by some other

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lady causing wrongful loss to the applicant.

After holding trial, trial Court acquitted the private respondents vide impugned judgment dated 29.08.2014.

Heard.

Having given thoughtful consideration to the submissions made by learned counsel for the applicant, this Court finds the instant application completely devoid of any merit for the reasons to follow.

Written statement on behalf of Charan Kaur was filed during her lifetime, who expired after three years of filing it and not after three years of her death as alleged. Applicant did not produce her in the witness box to support his contention that she never signed any alleged written statement or vakalatnama. Since, entire complaint and allegations of the applicant against private respondents throughout remained unsubstantiated, therefore, after going through the impugned judgment, this Court is not inclined to differ with the same.

Dismissed.

March 25, 2019
R.S.

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No