

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

CRM-A-89-MA-2018 (O&M)

Date of decision : 22.11.2019

Sumer Singh

...Applicant/appellant

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Anoop Kumar Yadav, Advocate for the applicant/appellant.

ANIL KSHETARPAL, J. (ORAL)

CRM-928-2018

For the reasons stated in the application, delay of 67 days in filing the present appeal is condoned.

Application is allowed.

CRM-A-89-MA-2018 (O&M)

Special Leave to appeal has been sought against the judgment of acquittal passed by the learned Sub Divisional Judicial Magistrate.

The Court has found following reasons while passing the judgment of acquittal:-

- 1) Reason of scuffle has been withheld by PW1 and PW2. There are material improvements in the deposition of the prosecution witnesses.
- 2) False implication cannot be ruled out as there was previous enmity and cross case has been lodged by the accused against the appellant.

3) Oral evidence led is not in consonance with the medical evidence.

This Court has heard learned counsel for the applicant/appellant at length and with his able assistance gone through the paper book.

Learned counsel for the applicant/appellant has failed to draw attention of the Court to any perverse finding or substantive error in the judgment passed.

Hence, no ground for grant of special leave to appeal, is made out.

Dismissed.

22.11.2019

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No