

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Revision No. 1699 of 2014 (O&M)
Date of decision : May 03, 2019

Raj Rani

....Petitioner

versus

State of UT Chandigarh and others

....Respondents

Coram: Hon'ble Mr. Justice Fateh Deep Singh

Present : None for the petitioner

Ms. Ashima Mor, APP, UT Chandigarh for
respondent no. 1

Mr. Charanpreet Kathuria, Advocate,
for respondent nos. 2 to 4

Fateh Deep Singh, J. (Oral)

Accused-respondents no. 2 to 4 Mohinder Singh, Sunehari Devi and Jarnailo Devi along with Ranjit Singh and Amar Singh were tried in a case bearing FIR No. 101 dated 15.4.2005, under Sections 406, 498-A IPC and under Section 4 of Dowry Prohibition Act, 1961, Police Station Sector-11, Chandigarh and through its judgment order dated 1.8.2013 the court of learned

Additional Chief Judicial Magistrate, Chandigarh all the accused, except accused Amar Singh, who died during the trial, were found guilty for commission of offence under Sections 406, 498A IPC and 4 of Dowry Prohibition Act and further sentenced to undergo rigorous imprisonment for two years each under Section 406 IPC and sentenced to undergo rigorous imprisonment for two years each and to pay a fine of Rs 100/- each and in default of payment of fine, to further undergo SI for seven days each under Section 498-A IPC. They were further sentenced to undergo rigorous imprisonment for six months each under Section 4 of the Dowry Prohibition Act. However, all the sentences were ordered to run concurrently. The convict Mohinder Singh, Sunehari Devi and Jarnailo Devi aggrieved over this finding filed an appeal against their conviction. Vide judgment dated 5.5.2014, the court of learned Additional Sessions Judge, Chandigarh partly allowed the appeal and acquitted convicts Sunehari Devi and Jarnailo Devi and reduced sentence awarded to convict Mohinder Singh. He has been directed to undergo RI for six months under Section 406 IPC and similar is the sentence under Section 498-A IPC and Section 4 of the Dowry Prohibition Act.

The complainant-petitioner Raj Rani unsatisfied with the aforesaid findings had come up in this criminal revision with the aid of Section 401 Cr.P.C. before this Court for upholding the judgment

dated 1.8.2013 of learned Additional Chief Judicial Magistrate, Chandigarh whereby respondents no. 2 to 4 were also held guilty and sentenced under Sections 406, 498-A IPC and Section 4 of the Dowry Prohibition Act.

Heard. Since the private respondents have already suffered pangs of this prosecution for the last 14 years, vide orders of even date passed in Criminal Revision No. 1746 of 2014, they have been released on probation of good conduct. The offences for which they have faced the trial are not of heinous nature and thus, there is no sufficient ground to uphold the judgment dated 1.8.2013 of learned Additional Chief Judicial Magistrate, Chandigarh. No illegality or perversity could be pointed out in impugned order. The present revision petition, thus, being without any merit stands dismissed.

May 03, 2019
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(Fateh Deep Singh)
Judge

Whether speaking/reasoned ?
Whether Reportable ?

Yes/No
Yes/No