

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

**CRM-4751-2017 in/and
CRR-530-2017(O&M)
Date of Order:17.09.2019**

Balwinder Kumar

..Petitioner

Versus

State of Punjab and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Jaideep Verma, Advocate,
for the petitioner.

ANIL KSHETARPAL, J (Oral)

CRM-4751-2017

For the reasons mentioned in the application, delay of 36 days
in filing the present revision petition is condoned.

CRR-530-2017(O&M)

Present revision petition has been filed against the judgment of
acquittal passed by the Judicial Magistrate, affirmed in appeal by the
learned Additional Sessions Judge.

Both the courts on appreciation of the evidence have found that
the prosecution has failed to prove the offence as alleged to have been
committed by the accused. It is undisputed that properties of the first
informant and accused are adjoining. The allegations of the prosecution are
that some part of the property owned by the first informant has been
wrongly sold by the accused. Court on appreciation of the evidence have
found that the prosecution has failed to prove that fact. Surinder Kumar,
first informant has admitted that Murari Lal was the owner of property

No.791, which was later on allotted two municipal numbers 1972 and 1973.

Copy of sale deed Ex. PW1/A refers to the property sold with municipal number 1972. Property claimed by the first informant is municipal number 791-A. Prosecution has failed to prove that how Murari Lal sold property number 791-A belonging to the first informant/petitioner.

Hence, no ground is made out to interfere.

Dismissed.

September 17, 2019
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned	: Yes/No
Whether reportable	: Yes/No