

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Crl. Rev. No. 3564 of 2018
Date of Decision:- 11.01.2019

Charanjeet Kaur and another

....Petitioners

vs.

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SUDHIR MITTAL

Present:- Mr. Sahil Kaushal., Advocate,

for the petitioners.

SUDHIR MITTAL, J. (Oral)

The petitioners are the accused in FIR No.327 dated 20.12.2008 registered at Police Station Payal under Sections 420 and 120-B IPC.

The allegations against the petitioners are that they were running a general store and grocery shop and were also involved in lending money on interest. Apart from that, they used to take money from people and used to run 'Committees'. In this manner, they duped people of almost a total of ₹ 15 lacs and then left the town along with their family members.

The trial Court, vide judgment dated 25.1.2017, convicted them under Sections 420 and 406 IPIC and vide order of sentence of even date, sentenced them as follows:-

Sr. No.	Name of accused	Under Section, Imprisonment and Fine
1.	Charanjeet Kaur	120-B IPC for rigorous imprisonment for one year and fine of ₹ 1000/- (in default of payment of fine, convict shall undergo further RI for 15 days.
2.	-do-	406 IPC for rigorous imprisonment for

		Two years and fine of ₹ 1000/- (in default of payment of fine, convict shall undergo further RI for 15 days.
3.	-do-	420 IPC for rigorous imprisonment for Two years and fine of ₹ 1000/- (in default of payment of fine, convict shall undergo further RI for 15 days.
1.	Surinder Singh	120-B IPC for rigorous imprisonment for one year and fine of ₹ 1000/- (in default of payment of fine, convict shall undergo further RI for 15 days.
2.	-do-	406 IPC for rigorous imprisonment for Two years and fine of ₹1000/- (in default of payment of fine, convict shall undergo further RI for 15 days.
3.	-do-	420 IPC for rigorous imprisonment for Two years and fine of ₹ 1000/- (in default of payment of fine, convict shall undergo further RI for 15 days

Appeal filed by the petitioners has been partially allowed. The conviction under Section 406 IPC has been set aside but that under Section 420 IPC and 120-B IPC has been upheld.

Learned counsel for the petitioners submits that only oral evidence is on record. Even people, who had borrowed money from the petitioners, have joined the complainants and have submitted false evidence. The petitioners never refused to return the money nor did they abscond. They had only gone to their relatives house for a short period. Thus, the conviction is bad in law. There are also discrepancies in the evidence led before the trial Court and the Courts below have erred in not taking the said discrepancies into consideration.

The petitioners have been convicted by two Courts below by appreciation of the evidence on record. In exercise of revisional jurisdiction, this

Court is not required to go into re-appreciation of this case.

Learned counsel has failed to point out any evidence which has been misread by the Courts below or the evidence that has not been taken into consideration.

Thus, it cannot be said that the judgments are perverse.

The petition is without any merit and is accordingly dismissed.

January 11, 2019
poonam

(SUDHIR MITTAL)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No