

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

CRM-A-1151-MA-2017 (O&M)

Date of decision : 08.04.2019

Gursewak Singh

...Applicant

Versus

State of Punjab and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL.**

Present: Mr. P.K.S. Phoolka, Advocate for the applicant.

Mr. Luvinder Sofat, AAG, Punjab.

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**ANIL KSHETARPAL, J.**

**CRM No.17366 of 2017**

For the reasons stated in the application, which is duly supported by an affidavit, delay of 202 days in filing the appeal is condoned.

Application is allowed.

**Main case**

Application under Section 378 of the Criminal Procedure Code for grant of leave to file appeal against the judgment of acquittal dated 14.07.2016 passed by the learned Additional Sessions Judge, Bathinda has been filed.

The case was initiated on the basis of a telephonic message received from the hospital to the effect that a young girl has been brought to

the hospital with the history of having consumed some poisonous substance. It has been alleged that young girl had committed suicide due to beatings given by the accused Bhuri Kaur, Sarabjit Kaur and Jaslin Kaur. In brief, the allegations are that the deceased-Manpreet Kaur and Jaslin Kaur had got clicked a joint photograph in the school and Manpreet Kaur had passed on that photograph to Gaggi Singh. On which, the accused had given beatings to Manpreet Kaur on the evening of 05.07.2014 and again on 06.07.2014.

Learned Court has found that none of the witness examined was present at the time when the alleged beatings were given to Manpreet Kaur by the accused person. No medical evidence has been produced to prove the beatings. There is no explicit or outward mark of injury on the person of Manpreet Kaur. Police has not even recorded the statement of Gaggi Singh.

In view of the aforesaid, there is no cogent evidence that accused had abetted Manpreet Kaur to commit suicide.

This Court has heard learned counsel for the applicant as well as counsel for the State of Punjab.

After hearing arguments, this Court finds that this is not a fit case to grant leave to appeal.

Accordingly, present application for grant of leave to file appeal is dismissed.

**08.04.2019**

*Pawan*

**(ANIL KSHETARPAL)  
JUDGE**

**Whether speaking/reasoned:- Yes/No**

**Whether reportable:- Yes/No**