

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

219

**CRM-A-3763-MA-2018 (O&M)
Date of Decision : 01.10.2019**

State of Haryana

... Applicant

Versus

Mohit @ Rahul and another

...Respondents

**CORAM: HON'BLE MR. JUSTICE AJAY TEWARI
HON'BLE MR. JUSTICE HARNARESH SINGH GILL**

Present: Mr. Randhir Singh, Addl. A.G., Haryana.

AJAY TEWARI, J. (ORAL)**CRM-44797-2018**

This is an application for condonation of delay of 139 days in filing the present appeal. Heard. In view of the reasons mentioned in the application, same is allowed.

2. Delay of 139 days in filing the present appeal is condoned.

CRM-A-3763-MA-2018

3. The State of Haryana has filed the present application under Section 378(3) Cr.P.C. for grant of leave to appeal against the judgment dated 12.04.2018 passed by the learned Additional Sessions Judge, Rewari.

4. The trial Court while acquitting the respondents had noticed that against respondent No.2-Parvesh @ Babu the only allegation was that he caught hold of Mohender who was alleged to had been injured and as

regard respondent No.1-Mohit @ Rahul, the court came to the conclusion that the case against him was not proved beyond reasonable doubt. He has taken us through the testimonies of the witnesses (which were summoned on the last date).

5. Having gone through the same, we are of the considered opinion that the trial Court was justified in acquitting the respondents-Mohit @ Rahul and Parvesh @ Babu. The judgment of acquittal is neither unreasonable nor perverse and hence calls for no interference.

6 Consequently, the application seeking leave to appeal is dismissed. Leave to appeal is declined.

(AJAY TEWARI)
JUDGE

(HARNARESH SINGH GILL)
JUDGE

01.10.2019
pooja saini

Whether speaking/reasoned? *Yes/No*

Whether reportable? *Yes/No*