

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

224

CRR-3706-2017

Decided on : 04.03.2022

Veenu

... Petitioner(s)

Versus

Hemant Bahri and others

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Mr. U.K. Agnihotri, Advocate
for the petitioner(s).

MANJARI NEHRU KAUL, J. (Oral)

The petitioner is assailing the order dated 04.08.2017, passed by the learned Additional Sessions Judge, Panchkula, vide which it upheld the judgment of acquittal passed by the learned trial Court on 20.12.2013, in case FIR No. 04, dated 02.01.2018, under Sections 323, 504, 406, 498-A, 506, 120-B IPC, registered at Police Station Pinjore.

Learned counsel for the petitioner *inter alia* contends that both the Courts below while passing the impugned orders failed to appreciate that there were specific allegations of mental and physical cruelty levelled against the respondents-accused i.e. her husband, father-in-law and mother-in-law, in the FIR in question. It was further submitted that the allegations levelled stood duly corroborated by the prosecution witnesses in their deposition in Court. It was still further contended that the Courts below erred by observing that the allegations of commission of offences under Sections 498-A & 406 IPC were not made out in the absence of any documentary evidence on record with regard to demands of dowry and entrustment of the same to the respondents-accused, as the petitioner had reiterated her allegations during trial when she stepped into the witness-box.

I have heard learned counsel for the parties and perused the material on record.

At the outset, this Court has no hesitation to observe that the impugned orders do not suffer from any infirmity or illegality warranting the interference of this Court. Admittedly, there is no medical evidence on record to prove the allegations of physical assault suffered by the petitioner.

Still further, the case of the prosecution is that the petitioner/complainant was physically assaulted in the presence of her two cousins i.e. Gaurav and Saurav, but strangely neither of them were examined during trial nor cited as prosecution witnesses. Not only this, even the petitioner/complainant while appearing as PW-1 during trial did not utter a word, much less, by way of a whisper regarding the allegations of physical assaults.

The submissions of the learned counsel that the Courts below failed to appreciate the specific allegations made by the petitioner/complainant of dowry demands and misappropriation of the same by the respondents, is yet again totally misconceived in the absence of any corroborative evidence. As per the case of the prosecution, a panchayat was convened between the parties with regard to the harassment meted out to the petitioner/complainant by the respondents-accused, but again strangely none of the members of the said panchayat were either examined during trial nor cited as prosecution witnesses. Still further, even the allegations of misappropriation of the dowry of the petitioner could not be proved by any cogent or reliable evidence in the absence of any evidence of entrustment of dowry brought on record during trial.

As a sequel to the above, the instant revision petition is devoid of any merit and the same stands dismissed accordingly.

(MANJARI NEHRU KAUL)
JUDGE

March 04, 2022

J.Ram

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No