

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

Sr. No.220

CRM-A-247-MA-2015

Date of Decision : January 18, 2023

Tarsem Lal

...Applicant

Versus

Ramesh Sharma and another

...Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Inderjit Sharma, Advocate, for the applicant.

SUDHIR MITTAL, J. (ORAL)

The applicant had filed a complaint under Section 3 of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 stating that the accused persons had stopped him from drinking water from a public tap installed just in front of their houses/shops and had abused him regarding his caste. The incident occurred in public view.

In support of his case, the applicant examined himself as PW1 and produced Ram Partap as PW2. Said Ram Partap was his tenant. After conclusion of evidence, the trial Court has acquitted the accused by dismissing the complaint and thus, the present appeal against acquittal has been filed.

Learned counsel for the applicant submits that the trial Court was in error in acquitting the accused persons. Evidence has not been read properly and thus, the impugned judgment deserves to be reversed.

It is not disputed that PW-2-Ram Partap is the tenant of the applicant. Although according to the applicant, 15 to 17 persons of the village gathered at the spot at the time of incident, he does not mention any

other name except that of Ram Partap. This in itself creates a doubt regarding the genuineness of his complaint. Apart from that, the statements of both the witnesses have been examined in detail by the trial Court and based upon an appreciation thereof, a finding has been returned that the applicant has not been able to prove his case beyond reasonable doubt. Having gone through the statements of the witnesses, I do not find any perversity in the impugned judgment.

Thus, no interference is called for. The application is without merit and is dismissed.

January 18, 2023
Ankur

(SUDHIR MITTAL)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No