

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

228

CRR-4756-2017

Date of Decision: 17.08.2023

Jaiwati

.... Applicant

Versus

The State of Haryana and others

.... Respondents

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - None for the petitioner.

NIDHI GUPTA, J. (ORAL)

1. Challenge in the present revision petition is to judgment dated 08.09.2017 passed by the learned Additional Sessions Judge, Palwal; whereby the judgment dated 29.02.2016 rendered by the trial Court acquitting respondents No. 2 to 5 in a case arising out of FIR No. 89 dated 18.03.2012 registered under Sections 498-A, 406 and 506 IPC at Police Station Hodal, was affirmed and the appeal preferred by the petitioner was dismissed.

2. Perusal of order sheets shows that this matter has since been adjourned time and again, **either** on account of non-appearance on behalf of the petitioner i.e. on 10.09.2018, 07.12.2018 and 22.02.2019 **or** on the request of learned counsel for the petitioner on 12.02.2018, 30.04.2018 and 14.11.2022. Today, again the petitioner has gone un-represented.

3. On 14.11.2022, when this matter was listed for hearing, a co-ordinate Bench of this Court has passed the following order:-

“Perusal of the file reveals that trial was conducted in FIR No. 89 dated 18.03.2012 under Sections 498-A, 406 and

506 IPC registered at Police Station Hodal against four accused i.e. Vishnu (respondent No. 2), Bhagat Singh (respondent No. 3), Balli @ Balram (respondent No. 4) and Ramwati (respondent No. 5).

Vide judgment dated 29.02.2016 passed by Court of Special Judicial Magistrate, Hodal, all accused were acquitted from all set of charges. Feeling aggrieved, complainant/Victim-Jaiwati had filed one criminal Appeal No. RBT90 dated 29.03.2016/22.09.2016 against the said judgment of acquittal, which was also dismissed by the Court of Additional Sessions Judge, Palwal vide judgment dated 08.09.2017. Thereafter, present revision petition i.e. CRR-4756-2017 has been filed by petitioner before this Court, which is pending since then.

Orders passed by this Court from time to time, are reproduced hereafter:

On 12.02.2018 following order was passed by the then co-ordinate Bench of this Court:

*“Present: Mr. Mehar Singh, Advocate
for the petitioner(s).*

*Request for an adjournment has been
made by learned counsel for the petitioner.
Adjourned to 30.04.2018.”*

On 30.04.2018 following order was passed by the then co-ordinate Bench of this Court:

*“Present: Mr. Mehar Singh, Advocate
for the petitioner.*

Lower Court record be requisitioned for 10.09.2018.”

On 10.09.2018 following order was passed by the then co-ordinate Bench of this Court:

“Present: None for the petitioner(s).

*Even on second call, no one appears on
behalf of the petitioner.
Adjourned to 07.12.2018.”*

On 07.12.2018 following order was passed by the

then co-ordinate Bench of this Court:

“Present: None for the petitioner(s).

*There is no representation on behalf of
the petitioner.*

Adjourned to 22.02.2019.”

On 22.02.2019 following order was passed by
the then co-ordinate Bench of this Court:

“Present: None for the petitioner.

Adjourned to 16.07.2019.”

Thereafter, present revision petition has come up for
hearing today, before this Court.

But today again, Mr. Basant Sharma, Advocate
appearing on behalf of petitioner, requests for an
adjournment on the ground that arguing counsel is not well.

In the interest of justice, adjourned to 12.12.2022.

It is made clear that no further adjournment would be
granted for the purpose of arguing the matter.”

4. Thus, in view of the above, it can safely be presumed that
the petitioner or her counsel is not interested in pursuing the instant
revision petition.

5. In view of the above, the instant revision petition is
dismissed for non-prosecution.

17.08.2023

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**(NIDHI GUPTA)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No