



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

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**CRM-A-74-MA-2014
Decided on : 01.05.2025**

Ram Murti

... Petitioner(s)

Versus

Jai Singh and others

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Bhavdeep Singh Mamli, Advocate
for the petitioner(s).

SANJAY VASHISTH, J. (Oral)

1. CRM-A-74-MA-2014 has been filed u/s 378(4) Cr.P.C., for seeking leave to file special leave to file appeal.
2. Criminal Complaint No.45-1 of 2007, was instituted by the applicant-appellant (complainant) – Ram Murti, against the six accused namely; (1) Jai Singh, (2) Kher Pal, and (3) Sher Singh (sons of Nathu Ram son of Sawami Ram), (4) Shanti Devi, (5) Ram Bal, and (6) Dharmender. The dispute hinges for an amount of Rs.30,000/-, and by raising a dispute at the first instance, applicant-complainant had moved an application u/s 156(3) of Cr.P.C., which resulted into the registration of FIR No.120, dated 25.05.2007, u/s 420, 120-B of IPC, at P.S. Bhattu Kalan, District Fatehabad, and after conducting of investigation, cancellation report was submitted before the Area Magistrate on 17.10.2007.
3. Thereafter, when the protest petition was filed by the applicant-complainant, against the final report, same was treated as a private complaint, and thereupon, the Court below recorded its finding of acquittal



by dealing with the evidence in detail. In this regard, relevant finding recorded in paragraph 12 of the judgment dated 03.11.2012, has been gone through by this Court again, and despite being asked by this Court, counsel for the applicant-complainant is unable to point out any material discrepancy therein, which may require any interference by this Court in the judgment of acquittal.

Counsel for the applicant-complainant could not point out any perversity in the observations made by trial Court or even now before this Court also, nothing such is pointed out from the statements of witnesses, which have been taken into consideration by the Court below.

4. It is also settled proposition of law that once a judgment of acquittal is under challenge before the appellate Court, and two views are possible, the one, which favours the acquitted accused, is to be preferred.

In view of the reasoning recorded by the learned Trial Court, this Court finds no substantial ground to interfere with the same. Accordingly, the present application, seeking grant of special leave to appeal is found to be devoid of any merit and therefore, **dismissed**.

(SANJAY VASHISTH)
JUDGE

May 01, 2025

J.Ram

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