

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR-1304-2022

ORDER RESERVED ON	ORDER PRONOUNCED ON	OPERATIVE PART PRONOUNCED OR FULL
11.11.2025	28.11.2025	FULL PRONOUNCED

Rattan Lal ...Petitioner

Versus

State of Haryana and others ...Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Deepak Grover, Advocate
for the petitioner.

Mr. Gagandeep Singh Chhina, Sr. DAG, Haryana.

ANOOP CHITKARA, J.

1. Aggrieved by the acquittal of the private respondents vide judgment dated 19.07.2019 passed by the Judicial Magistrate, Ist Class, Palwal and affirmed by the Additional Sessions Judge, Palwal vide order dated 22.03.2021, the complainant had come up before this Court by filing the present criminal revision petition in the year 2022.
2. I have heard counsel for the petitioner to ascertain that whether the petition is worth issuing notice or not and its analysis would lead to the following outcome.
3. Facts of the case are being taken from the grounds of revision petition.
4. On 27.09.2014, petitioner-Rattan Lal made a written complaint to the concerned Police Station that Priest of Hari Nagar Temple had left a week ago and the accused had questioned the petitioner that it was his conduct which led the priest to leave the temple. After that, private respondents abused and gave beatings to the complainant.
5. On 24.09.2014, the matter was resolved between them due to intervention of elder people of the locality, but however the accused kept vengeance against against him despite compromise.

6. On 25.09.2014 in the evening when the petitioner/complainant was returning after purchasing beedi and matchstick from a local store and when he was near his house, he was suddenly wrongly restrained and attacked by the private respondents/accused with lathi, iron rod etc. on various parts of his body and he received injuries on his head, shoulder, knees and eyes. On raising cries, local people arrived, on which the accused persons ran away. Based on such complaint, an FIR under Section 325, 323, 341, 506 r/w 148, 149 IPC was registered in Police Station Camp, Palwal.

7. After completing the investigation, prosecution was launched and charges were framed to which, the accused-private respondents did not plead guilty.

8. Vide impugned judgment dated 19.07.2019, the Judicial Magistrate acquitted the private respondents by observing that case is not proved beyond reasonable doubt.

9. Feeling aggrieved, the petitioner filed an appeal before the Sessions Court, Palwal, which was also dismissed vide judgment dated 22.03.2021, by observing that neither the judgment of trial Court is perverse nor illegal. Feeling aggrieved, the petitioner has come up before this Court by filing the present petition.

10. Para 6 of the grounds of present petition refer to the weapons used in attack i.e. Ex.P3 & P4), which were recovered at the instance of the accused and even a CT scan of the brain of the petitioner was got conducted in which there was a mention of fracture in frontal bone on left side. Further MLR pointed out towards six injuries suffered by the petitioner and injury No.1 could be dangerous to life if not treated well.

11. Be that as it may, the most serious offence, for which charges were framed against the accused under Section 325 IPC, as such no dangerous weapon was attributed to the accused to connect with the injuries received on fracture of frontal bone, if connected with the incident.

12. The petitioner's next ground is that the Doctor Raj Kumar-Medical Officer tendered his affidavit CW2/A in which, he referred all injuries to be blunt and duration of cause was 1-6 hours and injury No.1 was referred as grievous. In para 12, petitioner submits that he had filed an application dated 04.06.2019 to re-examine Dr. Raj Kumar MO, Dr. Kamal Yadav MS of the Safdarganj Hospital, New Delhi, along with complete record of casualty and also an application for clubbing of criminal complaint titled as Rattan Lal vs. Daya Kishan etc. which was pending before JMIC, Panchkula. However, the said criminal complaint was dismissed on 30.01.2019.

13. I have also gone through the impugned judgment dated 30.01.2019 passed by the JMIC, Palwal. A perusal of the judgment points out that complaint was filed for commission of offence punishable under Sections 307, 326, 217 IPC.

14. I have gone through the judgment dated 19.07.2019 passed in Criminal Case No.RBT-52 of 2018. In para 6 of the impugned judgment, reference has been made to PW1-Mamchand Sub Inspector, who justified that on receiving the written complaint, he had proceeded towards the spot, where he recorded statements of witnesses under Section 161 CrPC. Even proved the recovery of weapons Ex.P3 & P4. In the cross examination, it is mentioned in the impugned judgment that there were no specific identification of the weapons, however such type of weapons are easily available in the market. The investigator also pointed out that the witnesses had told him that a priest of the temple had left and the reason for priest leaving was attributed to the complainant and ensued a minor scuffle between the parties.

15. The petitioner had testified as PW2 and he reiterated the version of the written complaint. He did not deny a suggestion that one of the accused Daya Kishan was admitted in hospital due to the injury on his right hand and he also find ignorance that on 25.09.2014, petitioner had entered into house of the accused and had given beatings to them, to which accused filed a complaint against him. PW3 Ram Kishan testified that when he heard shirks, he went to the street and found that complainant was beaten mercilessly and accused were armed with weapons. However in cross-examination, he also admitted his good relations with the complainant being a neighbour. Another witness was PW4-Ravi Kant who admitted that when he had reached at the crime scene, the alleged fight was already over, it means no fight had taken place in his presence.

16. Learned trial Court did not find the prosecution evidence convincing on the grounds that weapon of offence were not recovered. The trial Court did not rely upon the testimony of PW3, who was the neighbour and stated that based on the evidence produced by the prosecution two views had emerged and one view was of false implication which favoured the accused, as such the trial Court went with the second view.

17. A perusal of the judgment passed by the Sessions Court reveals that all the arguments were discussed in detail and complainant PW2 did not specifically deny the injuries caused to the accused-Daya Kishan.

18. An analysis of the evidence as referred to in the impugned judgment clearly point out that one of the accused -Daya Kishan had received injuries which were not explained by the prosecution. Thus, it has also come in evidence that Daya Kishan had received injuries in the same occurrence. Consequently, the complainant did not reveal the correct and true version of what had happened at the spot and how and in what manner, Daya Kishan had caused injuries. Consequently, the complainant has lost his credibility and giving rise to two views. One favouring the accused that they may have acted in private defense. Although no such defense was taken but there is no necessity to take up a

specific defense when the circumstance i.e. fact of injury on Daya Kishan was not denied.

19. Given above, there is no illegality, infirmity or perverseness in the judgment passed by the trial Court as well as by the Sessions Court. Further, it is not a case where any question of law is involved to invoke the revisionary jurisdiction of this High Court. Since there is neither any error in facts nor on law, consequently, it is not a case where notice is issued to the private respondents. Consequently, the present petition is dismissed. All pending applications, if any, are disposed of.

(ANOOP CHITKARA)
JUDGE

November 28, 2025
Anju rani

Whether speaking/reasoned	YES
Whether reportable	NO