

2025:PHHC:014304



**IN THE HIGH COURT OF PUNJAB & HARYANA AT  
CHANDIGARH.**

**CRR-293-2008(O&M)**

**Date of Decision:-30.01.2025**

**Jaipal.**

.....Petitioner.

Vs.

**State of Haryana & Ors.**

.....Respondents.

**CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI**

Present:- Mr. Ashwani Bhardwaj, Advocate for the Petitioner.

Mr. Viney Phogat, Deputy Advocate General, Haryana.

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**JASJIT SINGH BEDI, J.(ORAL)**

The present revision petition has been preferred against the judgment dated 10.10.2007 passed by Additional Sessions Judge, Fast Track Court, Gurgaon whereby the accused/respondents were acquitted of the charges framed against them.

2. The brief facts of the case are that on 22.09.2003 Jaipal son of Sohan Lal (petitioner) made a report to the police to the effect that on account of a civil dispute regarding a *rasta* between the parties, the accused/respondents had caused injuries to him and other persons.

3. On conclusion of the investigation, the report under Section 173 Cr.PC was submitted and charges came to be framed under Section 148, 323, 325, 326 IPC read with Section 149 IPC.

4. The prosecution examined as many as 06 witnesses including

Ram Niwas PW-1 and Jaipal as PW-2 and the Court came to the conclusion that the complainant party had been challaned under Section 302 IPC etc., for the murder of Ram Singh and the injuries caused to the present complainant party by the accused side was on account of self defence.

5. Based on the findings, the Court of Additional Sessions Judge, Fast Track Court, Gurgaon acquitted the accused/respondents vide judgment dated 10.10.2007.

6. The aforementioned judgment is under challenge in the present petition.

7. The Counsel for the complainant/petitioner contends that the judgment of acquittal has been passed on conjectures and surmises. The medical evidence was totally in consonance with the ocular account. The Trial Court had come to an erroneous conclusion that the complainant party was the aggressor side. He, therefore, contends that the impugned judgment was liable to be set aside.

8. The Counsel for the State on the other hand contends that it is a case of version and cross version. One Ram Singh from the side of the present accused party was murdered by the present complainant party for which FIR under Sections 302, 307, 323, 34 IPC read with Section 27 of Arms Act stood registered against the present complainant party. Therefore, the accused in the present case were rightly acquitted on the grounds that they had caused injuries to the complainant party.

9. I have heard Counsel for the parties.

10. Admittedly, it is case of version and cross version. One Ram Singh from the side of the accused party was murdered and a case under Section 302 IPC was registered against the present complainant party. In this situation, if any injuries were caused to the present complainant party

quite apparently, it would amount to causing injuries in self defence by the accused. Therefore, no fault can be found with the judgment of acquittal passed by the Trial Court.

11. In view of the above, I find no merit in the present revision petition and the same stands dismissed.

( JASJIT SINGH BEDI )  
JUDGE

January 30, 2025  
Vinay

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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |