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

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Date of Decision: 11.11.2025

Balwinder Masih

...Petitioner

Versus

Sonia and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE H.S. GREWAL

Present: Mr. B. B. S. Randhawa, Advocate, for the petitioner.

H.S. GREWAL , J. (ORAL)

1. The present revision petition has been filed against the order dated 03.03.2016 passed by the learned Sessions Judge, Gurdaspur, whereby the judgment dated 23.10.2015 passed by the learned Judicial Magistrate Ist Class, Batala, acquitting the respondents-accused of the charges framed against them under Sections 452, 323, 325, 427, and 34 of the IPC, has been upheld.

2. The case of the prosecution is that the petitioner was serving in the Indian Army and, on 22.11.2010, he came to his house on 15 days' leave. He asked his wife regarding a sum of ₹26,000/—, which had been given by him to his in-laws at the time of the marriage of his sister-in-law. At this, his wife Sonia allegedly exchanged hot words with him and also called her parents and brother. Thereafter, his brother-in-law Ashu, armed with a *sota*, his father-in-law Prem Masih, also armed with a *sota*, along with two unidentified persons, and his neighbour Sikander, armed with a *kohari*, Mito armed with a *danda*, and Kanta armed with a rod, entered his house. Prem Masih allegedly raised a *lalkara* that the petitioner be taught

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a lesson for demanding back the money, and thereafter, the complainant was given injuries by the above-named accused. FIR No. 97 dated 30.11.2010 under Sections 452, 323, 325, 427, and 34 of the IPC was registered in the matter. After hearing both sides, the trial Court acquitted the respondents. Aggrieved thereby, the petitioner preferred an appeal, but the appellate Court upheld the judgment of the trial Court. Still aggrieved, the petitioner has filed the present revision petition before this Court.

3. I have heard learned counsel for the parties and have gone through the records with their able assistance.

4. The prosecution examined PW-1, the complainant, and PW-2 Gurmeet Kaur, and thereafter closed its evidence. Gurmeet Kaur is the sister of the complainant-petitioner Balwinder Masih. There is no independent witness or corroborative evidence supporting the occurrence. Moreover, no medical evidence has been led to establish that the injuries were caused by the respondents. In the absence of any such substantive evidence, the respondents cannot be convicted merely on the statements of the complainant and his sister. Hence, there is no infirmity in the orders passed by the Courts below, and the present revision petition is accordingly dismissed.

(H.S. GREWAL)
JUDGE

11.11.2025***anil***

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