



218 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRR-1008-2014  
Date of Decision:16.04.2026

Rajender Singh and Anr. ...Petitioners  
Vs.  
State of Haryana ...Respondent

Coram : Hon’ble Mr. Justice N.S.Shekhawat

Present: Mr. Shokeen Singh Verma, Advocate  
for the petitioners.

Mr. Parmod Kumar, AAG, Haryana.

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N.S.Shekhawat J.

1. The petitioners have filed the present revision petition against the impugned judgment dated 11.03.2014, passed by the Court of Additional Sessions Judge, Bhiwani, whereby, the appeal filed by the petitioners was ordered to be dismissed and the impugned judgment of conviction dated 04.10.2012 and order of sentence dated 05.10.2012, passed by the Court of Judicial Magistrate Ist Class, Charkhi Dadri, whereby the petitioners were ordered to be convicted for the offence punishable under Section 506 Part-I read with Section 34 of IPC and was sentenced as under:-

|                                                      |                                                                                                                                         |
|------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------|
| Under Section 506 Part-1 read with Section 34 of IPC | R.I for a period of one year and fine of Rs.5000/- In default of payment of fine, they further undergo S.I for a period of four months. |
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2. The brief facts of the present case are that on 03.05.2006 complainant Neelam Sangwan (PW1) who working as Headmistress in Government High School, Ghikara moved complaint Ex. PW1/A to the effect



that Rajender Singh son of Lilu Ram threatened her in the presence of Shri Ram Purshottam Yadav, the then Education Officer. It was further alleged that prior to that also, accused has obstructed the complainant in discharging her official duties and has used unparliamentary language. The school wherein the complainant was working as Headmistress, was the place for keeping wine and passing the leisure time for them. Mahabir, who was working as Peon and Satish Science teacher (under suspension) were assisting accused Rajender Singh. They were also instigating the accused to make complaint against the complainant and other teacher, resultantly, the environment of the school was tensed. It was further averred that on 29.4.2006 Jaibir son of Govardhan i.e. brother of accused, came to the school in a drunkard condition and hurled abuses upon the complainant. On the basis of complaint Ex. PW1/A, formal FIR Ex. PW2/A was lodged. Investigation was conducted. During the course of investigation, site plan Ex.PW-2/C was prepared. Statement of the witnesses under section 161 of Cr.P.C were recorded. The accused were arrested. After completion of investigation, challan was presented in the Court.

3. After perusing the challan and other accompanying documents, the Court found that a prima facie case under Sections 186,353 and 506 r/w Section 34 of IPC was made out against the petitioners and they were charge-sheeted accordingly. However, they pleaded not guilty and claimed to be tried by the Trial Court.

4. In order to prove the charge against the petitioners, the prosecution examined 04 witnesses. Neelam Sangwan, complainant as PW-1, Kanwar Singh,S.I as PW-2, Nar Singh Sangwan AEO as PW-3 and PW-4 Ram Purshotam Yadav and thereafter, the prosecution evidence was closed.



5. After the closure of the prosecution evidence, the statement of petitioners were recorded under Section 313 Cr.P.C and all the incriminating evidence was put to them, to which they pleaded that they had been falsely involved in the present case. No defence evidence was led by the accused in their defence.

6. Learned counsel appearing on behalf of the petitioners vehemently argued that even if the allegations levelled by the prosecution are believed to be correct for the sake of argument, still, no offence as alleged is made out against the petitioners. In the F.I.R, only allegation levelled against Rajender Singh, petitioner No.1 was that he had threatened the complainant that they would see her and would lock the school. Apart from that, it was alleged against petitioner No.2 that he used to assist the petitioner No.1 in extending such threats. Apart from that, there was no other allegations against the petitioners and the petitioners are liable to be acquitted by this Court.

7. On the other hand, learned State counsel has vehemently opposed the submissions by submitting that both the Courts have recorded concurrent findings of fact and the revision petition deserves to be dismissed by this Court.

8. I have heard learned counsel for the parties and perused the record carefully; with their able assistance.

9. From a perusal of the initial complaint/FIR Ex.PW2/A, which was registered on the basis of the statement made by Neelam Sangwan PW-1, it is apparent that petitioner No.1 had threatened her that they would see her and would lock the school. As per PW-1, Neelam Sangwan, this was the only threat extended by petitioner No.1. Apart from that, it was also alleged that petitioner No.2 and two more teachers namely Satish Kumar and Rajender Singh used to



help the petitioner No.1 in showing indiscipline in the school. Except that, no other allegation was levelled against both the petitioners. From a perusal of the allegations levelled by PW-1, it is apparent that the allegations did not constitute the offence under Section 506 of IPC. Section 506 IPC provides punishment for criminal intimidation and the same has been reproduced below:-

**506. Punishment for criminal intimidation.**

*Whoever commits, the offence of criminal intimidation shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both;*

**If threat be to cause death or grievous hurt, etc.-**

*and if the threat be to cause death or grievous hurt, or to cause the destruction of any property by fire, or to cause an offence punishable with death or [imprisonment for life], or with imprisonment for a term which may extend to seven years, or to impute unchastity to a woman, shall be punished with imprisonment of either description for a term which may extend to seven years, or with fine, or with both.*

10. In the present case, from the allegations levelled by the complainant, it stands established that the petitioner No.1 had merely threatened to lock the school, however, admittedly, he did not take time any steps either to cause harm to the complainant or lock the school. Consequently, it was an empty threat, which was allegedly extended by petitioner No.1 and the basic elements of the offence under Section 506 IPC are completely lacking in the present case.

11. Apart from that, admittedly, the threat was not followed by any overt act nor the petitioners had ever tried to assault the complainant in the present case. Still further, the law is well settled that such empty threats do not make out an offence under Section 506 IPC.



12. Thus, this Court has no hesitation to hold that the petitioners have been wrongly convicted by the Trial Court and they are ordered to be acquitted of the charge.

13. In view of the above discussion, the present revision petition is allowed and the impugned judgment dated 11.03.2014, passed by the Court of Additional Sessions Judge, Bhiwani and the impugned judgment of conviction dated 04.10.2012 and order of sentence dated 05.10.2012, passed by the Court of Judicial Magistrate Ist Class, Charkhi Dadri are ordered to be set aside by this Court.

14. Case property, if any, be dealt with, as per rules.

15. The Trial Court record be sent back.

16.04.2026  
hitesh

(N.S.SHEKHAWAT)  
JUDGE

Whether speaking/reasoned : Yes/No  
Whether reportable : Yes/No