



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

110

*CRM-A-1894-MA-2014 (O&M)*

**Date of Decision: 09.09.2025**

Vaneet Kaur

...Applicant(s)

Versus

Harmeet Singh and others

...Respondent(s)

**CORAM: HON'BLE MS. JUSTICE KIRTI SINGH**

Present:- Ms. Shazia K. Singh, Advocate for the applicant.

Mr. K.K. Saini, Advocate for respondent No.1.

Mr. Mohit Garg, Advocate for respondents No. 2 and 3.

Ms. Guramrit Kaur, DAG, Punjab.

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**KIRTI SINGH, J. (Oral)**

The instant application has been filed for challenging the impugned judgment dated 24.05.2014, passed by the learned JMIC, Batala, whereby the accused respondents No.2 and 3 were acquitted and respondent No.1 was acquitted under Section 406 IPC and convicted under Section 498-A IPC in a complaint filed under Sections 498-A and 406 IPC, registered at Police Station City Batala.

2. Shorn of details, the facts of the case are that the marriage of applicant/complainant was solemnised with accused-respondent No.1 on 25.11.2001. A huge amount was spent on the same by her family and many valuables, including, gold jewellery and household articles, were given to the accused. However, after some time of marriage, the respondents, i.e., the husband and in-laws of the complainant, started harassing her for bringing insufficient dowry and started pressuring her to bring more dowry and when



she expressed her helplessness, all the accused assaulted her and gave beating and further a demand of Rs.50,000/-was raised. The petitioner was turned away from her matrimonial home, however, later in the presence of respectable family members the accused undertook not to maltreat the complainant, despite which on 20.08.2006 the petitioner was given beatings and a further demand of Rs.2 lacs was raised. The respondent No.1 even tried to kill the complainant with the electric shock. Upon these allegations, A complaint was moved by the father of the petitioner against her husband and in-laws. Challan was presented in the case and after conclusion of trial, learned Trial Court acquitted respondents No.2 and 3 under Sections 406 and 498-A and respondent No.1 under Section 406 but convicted respondent No.1 under Section 498-A IPC and sentenced to undergo rigorous imprisonment for a period of one year. Aggrieved by the acquittal of the respondents, the petitioner has filed the present appeal.

3. Learned counsel for the appellant submits that the learned trial court had wrongly acquitted respondents No.2 and 3. It is submitted that the applicant had given the detailed account of the cruelty suffered by her at the hands of respondents, and also of the numerous instances where she had been ousted from her matrimonial home by her husband and in-laws. The ordeals stated by her in the complaint were also reiterated by her on oath, and the same were also corroborated in her testimony. Yet the learned Trial Court overlooked the same and acquitted the respondents No.2 and 3 resulting in travesty of justice.

4. Learned counsel for the respondents submits that the trial court proceeded to acquit the respondents citing lack of evidence against them.

5. After having heard the case and perused the record, it comes out that during the trial, besides the complainant, other witnesses were also duly



examined. However, upon finding lack of specific allegations against the respondents No.2 and 3 and in absence of any corroborative evidence, they were acquitted by the trial Court vide judgment dated 24.05.2014. It was the contention of the appellant that she had been ousted from her matrimonial home and even the compromise was also effected between the parties to settle the dispute. However, no evidence to corroborate this submission was advanced by the applicant. Moreover, it was alleged that the applicant was subjected to physical cruelty, but no medical evidence, though not *sine qua non*, was put forth. Further, no evidence in support of the contention regarding the dowry articles purportedly given in the marriage, including bills of purchase, were not presented by the complainant/applicant. All these facts when seen in circumspection rendered the testimonies of the complainant witnesses as non reliable so as to be made the sole basis for conviction of the respondent in the absence of any corroborative evidence whatsoever.

6. Following the observations made in *Akalu Ahir v. Ramdeo Ram, (1973) 2 SCC 583*, the Hon'ble Supreme Court in *Thankappan Nadar & Ors. v. Gopala Krishnan & Anr. 2002(9) SCC 393*, laid down the aforesaid principles :

*"6. In a revision application filed by the de facto complainant against the acquittal order, the Court's jurisdiction under Section 397 read with Section 401 Cr. P.C., 1973 is limited. The law on the subject is well settled. Instead of referring to various judgments, we would only refer to a few decisions rendered by this Court. In Akalu Ahir v. Ramdeo Ram, (1973) 2 SCC 583, this Court has (in SCC pp. 587-88, para 8) observed thus:*

*"This Court, however, by way of illustration, indicating the following categories of cases which would justify the High Court in interfering with a finding of acquittal in revision :*

- (i) Where the trial court has no jurisdiction to try the case, but has still acquitted the accused;*
- (ii) Where the trial court has wrongly shut out evidence which the prosecution wished to produce;*
- (iii) Where the appellate court has wrongly held the evidence which was admitted by the trial court to be inadmissible;*



*(iv) Where the material evidence has been overlooked only (either) by the trial court or by the appellate court ; and*

*(v) Where the acquittal is based on the compounding of the offence which is invalid under the law.*

*These categories were, however, merely illustrative and it was clarified that other cases of similar nature can also be properly held to be of exceptional nature where the High Court can justifiably interfere with the order of acquittal ."*

*The Court further observed: (SCC p. 588, para 10)*

*"10. No doubt, the appraisal of evidence by the trial Judge in the case in hand is not perfect or free from flaw and a court of appeal may well have felt justified in disagreeing with its conclusion, but from this it does not follow that on revision by a private complainant, the High Court is entitled to reappraise the evidence for itself as if it is acting as a court of appeal and then order a retrial. It is unfortunate that a serious offence inspired by rivalry and jealousy in the matter of election to the office of village mukhia, should go unpunished. But that can scarcely be a valid ground for ignoring or for not strictly following the law as enunciated by this Court ."*  
*(emphasis added)"*

7. Further the Hon'ble Apex Court in "**Johar Vs. Mangal Prasad**" held that the revisional jurisdiction of the High Court in terms of Section 397 read with Section 401 of the Code of Criminal Procedure is severally restricted, particularly when it arises from a judgment of *acquittal*.

8. Having perused the facts of the case as also the findings recorded by learned Judicial Magistrate Ist Class, Batala, this Court is of the considered opinion that in the case in hand, there is no infirmity or irregularity in the impugned judgment. The same being speaking, well reasoned and based upon correct appreciation of facts, applicable law & judicial precedents, needs no interference. As a corollary, the present revision petition stands dismissed.

9. Pending miscellaneous application(s), if any, also stands disposed of.

**(KIRTI SINGH)**  
**JUDGE**

**09.09.2025**  
*Kapil*

Whether speaking/reasoned  
Whether reportable

Yes/No  
Yes/No