



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

SR. NO.115

CRA-AS-271-2022

DATE OF DECISION:19.08.2025

GURLABH SINGH

...APPELLANT

VERSUS

STATE OF HARYANA AND ANOTHER

...RESPONDENT(S)

CORAM: HON'BLE MR. JUSTICE N.S. SHEKHAWAT

Present: Mr. A.S. Mann, Advocate
for the appellant.

Mr. Rajinder Kumar Banku, Sr. DAG, Haryana.

N.S. SHEKHAWAT, J.

1. The appellant has filed the present appeal against the impugned judgment dated 10.11.2021 passed by Sessions Judge, Sirsa, whereby respondent No.2 was convicted for the commission of offence under Section 420 IPC and was sentenced to undergo one day sentence till rising of the Court and fine was enhanced to Rs.20,000/-. The appellant has prayed that the impugned judgment passed by the Sessions Judge, Sirsa may be modified and the sentence imposed on respondent No.2 may be ordered to be enhanced.

2. I have heard the learned counsel for the parties and perused the case file carefully.

3. The appellant has filed the present appeal under Section 372 Cr.P.C. for modification of the impugned judgment to the extent that the sentence imposed on respondent No.2 may be ordered to be enhanced. Section 372 Cr.P.C. has been reproduced below:-

“372. No appeal to lie unless otherwise provided.

- No appeal shall lie from any judgment or order of a Criminal Court except as provided for by this Code or by any other law for the time being in force.[Provided that the victim shall have a right to prefer an appeal against any order passed by the Court acquitting the accused or convicting for a lesser offence or imposing inadequate compensation, and such appeal shall lie to the Court to which an appeal ordinarily lies against the order of conviction of such Court.]”

4. From the perusal of the provisions of Section 372 Cr.P.C. it is apparent that a victim has right to prefer an appeal only on three eventualities, i.e., (a) against an order passed by the Court acquitting the accused; (b) convicting the accused for a lesser offence and (c) imposing inadequate compensation on the accused. Thus, the said provision does not confer any right upon the victim to prefer an appeal seeking enhancement of sentence awarded to the accused.

5. In view of above, the present appeal is not maintainable and thus, the same is dismissed.

(N.S. SHEKHAWAT)
JUDGE

19.08.2025

mks

Whether Speaking/Reasoned: YES / NO
Whether Reportable: YES / NO