



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

CRM-A-1881-2019 (O&M)

Reserved on:24.03.2025

Pronounced on:09.04.2025

Ajit Singh (since deceased)

... Applicant

Vs.

State of Haryana & others

... Respondents

**CORAM: HON'BLE MR. JUSTICE SUDHIR SINGH.
HON'BLE MRS. JUSTICE SUKHVINDER KAUR**

Present: Mr. Arvinder Arora, Advocate for the applicant.

Ms. Mamta Talwar, DAG, Haryana.

...

SUKHVINDER KAUR, J.

Applicant – complainant has preferred the instant application under Section 378(4) Cr.P.C. seeking leave to appeal against judgment dated 15.12.2017 passed by learned Additional Sessions Judge, Yamuna Nagar at Jagadhri vide which respondents No.2 and 3 have been acquitted of the charge under Sections 302 read with 120-B IPC.

2. Factual scenario, as unfolded by prosecution is that initially on the statement of complainant Ajit Singh, FIR bearing No.37 dated 18.03.2006 was registered at Police Station Jathlana, District Yamuna Nagar. After investigation in the said FIR, cancellation report was prepared by the police and was submitted before learned Illaqa



Magistrate, Yamuna Nagar at Jagadhri. Thereafter, a protest petition titled as 'Ajit Singh Vs. Parveen and others' was filed by the complainant in the Court of learned Judicial Magistrate 1st Class, Yamuna Nagar at Jagadhri on 20.02.2010. It was alleged in the protest petition by complainant Ajit Singh that he was grandfather of Sangeeta Rani @ Sonu (since deceased). Her marriage was solemnized with Manjit Singh of village Shahpur. She was blessed with one son Yash, who was two years old. Lot of expenses were incurred by them at her marriage and various dowry articles were also given. From the very inception, she was not treated properly in her matrimonial house and was being treated like a servant. Raj Kumar father-in-law of Sangeeta Rani was owner of agricultural land measuring about 20-25 acres. Husband of Sangeeta Rani, namely, Manjit Singh was simpleton and he did not take any interest in his family affairs. Accused Parveen Kumar son-in-law of Raj Kumar was a very clever person. Parveen Kumar had been frequently visiting Shahpur, as he wanted to grab agricultural land owned by his in-laws. He along with his wife Nisha wanted to get some papers signed from Manjit Singh in context with said agricultural land, but Sangeeta Rani was asking Manjit Singh not to sign said papers. Thus, she was a a hurdle in their attempt to get the papers signed from Manjit Singh and they conspired with each other to clear such hurdle. About 15 days earlier to death of Sangeeta Rani on 07.03.2006, Parveen Kumar accused persuaded Sangeeta Rani to accompany him to village Unaheri stating that Nisha wanted to meet her. On 07.03.2006, Sangeeta Rani died in the house of Parveen Kumar. It was



alleged that after committing murder of Sangeeta Rani, Parveen Kumar brought body of Sangeeta Rani to village Shahpur and instead of informing the complainant, he telephonically informed Sarav Singh son of the complainant at Shahdra Delhi, who further informed the complainant. Thereafter he along with Vikram Singh his grandson and few other persons reached at village Shahpur and inquired about death of Sangeeta Rani. Accused had already collected wood and other material for cremation, but on insistence of complainant, dead body was brought to Civil Hospital, Yamuna Nagar, where post mortem was conducted. On reaching Shahpur, he noticed that some foam was coming out from mouth of Sangeeta Rani and blood was also coming from her nose. Police was informed, but police simply prepared inquest report and dropped the matter. No DDR or FIR was registered. Police told them that case would be registered only after receipt of viscera report from Forensic Science Laboratory, Madhuban. It was further alleged that the post mortem report clearly reflected that Sangeeta Rani had died due to mechanical violence and had not died natural death. Accused persons ended her life to grab the share of her husband in the agricultural land. He tried his level best to get the accused arrested, but was not cooperated by the police. In the post mortem report, cause of death given by doctors was asphyxia and as per opinion of doctors, some external pressure was put on the chest of Sangeeta Rani which resulted into fracture of left 2nd rib and rupture of left pleura and lung. As per rough site plan prepared, slabs were also there in the kitchen and if deceased had fell down due to some reason, then she



must have received some external injuries on her body. Police also sought opinion of Dr. Vijay Pal Khangwal, Reader Department of Forensic Medicine, PGIMS, Rohtak and Dr. P.K. Paliwal, Associate Professor, Department of Forensic Medicine, PGIMS, Rohtak regarding the same. It was alleged that accused had put forward different versions before the police. On one hand, they stated that deceased Sangeeta Rani fell down in the kitchen due to low blood pressure and died and on the other hand, accused stated before police that she fell down in the kitchen due to giddiness and on another occasion, they stated before the police that deceased had slipped and fell down in the kitchen. Thus, stand of accused persons itself was contradictory. As per post mortem report, no external injury mark was there on person of deceased Sangeeta Rani. It was alleged that investigation carried out by police was partial and tainted one, which was as per wishes of accused and police was hand in glove with the accused persons. Police ignored the opinions given by doctors. As deceased Sangeeta Rani died unnatural death in the house of respondents No.1 and 2, so the circumstances under which she died were to be explained by the accused, but they tried to cremate her body hurriedly.

3. In the preliminary evidence as many as 14 witnesses were examined by the complainant and after analyzing the same, it was observed by learned Additional Chief Judicial Magistrate, Yamuna Nagar that no prima facie case was made out to summon accused No.3 and 4, namely, Raj Kumar and Sushil and accused No.1 and 2, namely, Parveen Kumar and Nisha were ordered to be summoned for commission of offence



punishable under Sections 302 and 120-B IPC.

4. On finding a prima facie case punishable under Sections 302 read with Section 120-B IPC against both the accused, namely, Parveen Kumar and Nisha, they were charge sheeted accordingly, to which they did not plead guilty and claimed trial.

5. In order to prove its case, prosecution has examined as many as 13 witnesses – PW1 Dr. Vinod Kumar Kangra, Chemical Examiner, Haryana, Karnal, PW2 Mehar Singh, retired Inspector, PW3 ASI Balbir Singh, PW4 Pala Ram, retired Sub Inspector, PW5 EHC Ram Kumar, PW6 Dr. Sunil Kumar, Medical Officer, Civil Hospital, Yamuna Nagar, PW7 Som Nath, retired ASI, PW8 Vikram Singh, PW9 Head Constable Pawan Kumar, PW10 Pardeep Kumar, PW11 Narender Singh, PW12 Dr. Vijay Pal Khanagwal, Professor, Department of Forensic Medicine, PGIMS, Rohtak and PW13 Dr. P.K. Paliwal, Professor and Head, Department of Forensic Medicine, SHKM, Government Medical College.

6. Statements of accused under Section 313 Cr.P.C. were recorded while putting incriminating evidence against them. They pleaded innocence and false implication.

7. In defence evidence, accused have examined DW1 Des Raj, DW2 Parvez, Deputy District Attorney, DW3 Dr. Amod Kumar Singh, Senior Scientific Officer, DW4 Kulwant Singh Advocate and DW5 Dinesh Kumar, Advocate.

8. After considering the evidence on record, learned trial Court found the same to be insufficient, to convict the accused who were



accordingly acquitted of the offences for which they had been charge sheeted vide judgment dated 15.12.2017. Aggrieved of said decision dated 15.12.2017, present application for seeking leave to appeal has been filed by the applicant/complainant challenging the acquittal of accused/respondents No.2 and 3.

9. Learned trial Court acquitted the accused vide impugned judgment *inter alia* on the following grounds:

(i) The evidence of ill-treatment given to Sangeeta Rani after her marriage, by her father-in-law Raj Kumar and mother-in-law Sushil in conspiracy with present accused, was not believed by the Court, while summoning the accused after concluding of preliminary evidence and the summoning order of Court qua non-summoning of Raj Kumar and Sushil parents-in-law of deceased Sangeeta Rani was not challenged by the complainant.

(ii) The allegations of PW8 Vikram Singh against the conduct or behaviour of her in-laws are totally absurd on the face of it. If she was harassed or maltreated by them as alleged then at the same time it could not be said that she was so powerful or having such position in family of her in-laws so as to influence her husband Manjit Singh. No evidence regarding her alleged miscarriage was produced.

(iii) Sangeeta Rani was married to Manjit Singh in the year 2003 and till the year 2006 no complaint against the behaviour of her in-laws was made by her to the police.

(iv) Manjit Singh husband of Sangeeta Rani died in a road



accident in the year 2013. Testimony of PW8 Vikram Singh was recorded in the Court in the year 2016. He did not state that accused Nisha and Parveen Kumar had manage to get the land of Manjit Singh (since deceased) transferred in their name and revenue record produced in the shape of Ex.D10 to Ex.D13 and mark 'DB' spoke otherwise and favoured the plea of defence that they were having no interest in the property of Manjit Singh.

(v) Accused Nisha got married with accused Parveen Kumar in the year 2000 whereas Manjit Singh got married to Sangeeta Rani in the year 2003. So this gap of three years was the most valuable period with them to get the land transferred in their name, if they were having any such intention, but there is no evidence that they had ever attempted to do so.

(vi) Admittedly, deceased Sangeeta Rani was in house of Nisha and Parveen Kumar since 15-20 days before her death, so during this period accused Parveen Kumar could have obtained signatures of Manjit Singh on the relevant papers if he had so wished, while visiting his in-laws house, in the absence of Sangeeta Rani.

(vii) There is nothing to show that Sangeeta Rani had gone to her sister-in-law's house against her wishes. Rather her staying there shows that she was having intimacy with her sister-in-law and she was willingly staying there.

(viii) PW12 Dr. Vijay Pal and PW13 Dr. P.K. Paliwal had neither seen dead body of deceased nor they consulted with the doctors who had



done autopsy of deceased Sangeeta Rani. Their opinion is based only on the documents which were sent to them by the police. They conceded that since autopsy was not done by them, definite opinion regarding exact manner in which the injury could have been caused could not be given.

(ix) There was no evidence that in which manner the injury had been caused upon person of deceased resulting into fracture of 2nd rib and rupture of pleura. As per post mortem report, there was no external injury on the body of deceased. Chain of link evidence was not complete and prosecution case against accused persons was not proved beyond doubt.

10. Learned counsel for the applicant/complainant has vehemently contended that learned trial Court has failed to consider that present case is based on the circumstantial evidence and murder was committed by accused persons within the four walls of their house and it was not possible to get any direct evidence regarding commission of offence. Complainant proved all the circumstances against the accused persons which only suggest the inference of guilt against them. He further contended that learned trial Court also failed to consider testimony of Dr. PW12 Vijay Pal and Dr. P.K. Paliwal, who specifically stated that fracture of a single rib (particularly the fracture of left 2nd rib alone was noticed in this case) and the associated injuries i.e. rupture of the pleura and lung were least likely to be caused as a result of fall. He argued that despite unnatural death of deceased Sangeeta Rani at house of accused Parveen Kumar and Nisha, they did not report the matter to the police and did not take the deceased to the hospital and instead of that took the dead body of



deceased towards Shahpur for cremation. Their conduct itself shows that they committed heinous crime of murder of deceased Sangeeta Rani. He also submitted that PW8 Vikram Singh brother of deceased Sangeeta Rani and PW11 Narender Singh, cousin of deceased also deposed in detail about the ill-treatment that was being meted out to deceased Sangeeta Rani at her matrimonial house. No complaint regarding harassment to the deceased, during her lifetime was made by her in order to save her matrimonial life. The accused persons Parveen Kumar and Nisha were taking advantage of the fact that Manjit Singh husband of deceased was simpleton and they wanted to obtain his signatures on some papers to grab the agricultural land. As Sangeeta Rani had been asking Manjit Singh not to sign said papers, so the accused were considering her the hurdle in the achievement of their task and that was the motive behind the murder. Learned trial Court wrongly held that there was no evidence regarding motive behind the murder. It was thus prayed that the application for seeking leave to appeal be allowed and present appeal be accepted by setting aside the judgment dated 15.12.2017 and accused be convicted for offence charged with and be punished as per law.

11. We have heard learned counsel for the applicant and have also gone through the record of the case.

12. The issue that arises for determination in the present case is that whether the finding of acquittal recorded by learned Trial Court requires any interference by this Court.

13. It is trite law that conviction can be based solely upon the



circumstantial evidence if there is no missing link in the chain of circumstantial evidence.

14. **In Padala Veera Reddy Vs. State of A.P. and others (AIR 1990 Supreme Court 79)**, it was laid down by the Hon'ble Apex Court that when a case rests upon circumstantial evidence, such evidence must satisfy the following tests :-

(1) the circumstances from which an inference of guilt is sought to be drawn, must be cogently and firmly established,

(2) those circumstances. should be of a definite tendency unerringly pointing towards guilt of the accused.

(3) the circumstances. taken cumulatively should form a chain so complete that there is no escape from the conclusion that within all human probability the crime was committed by the accused and none else, and

(4) the circumstantial evidence in order to sustain conviction must be complete and incapable of explanation of any other hypothesis than that of the guilt of the accused and such evidence should not only be consistent with the guilt of the accused but should be inconsistent with his innocence.

15. **In Navaneethakrishnan Vs. The State by Inspector of Police, Criminal Appeal No.1134 of 2013** decided on 16.04.2018 the Hon'ble Supreme Court held as under :-

“The law is well settled that each and every incriminating circumstance must be clearly established by reliable and clinching evidence and the circumstances so proved must form a chain of events from which the only irresistible conclusion about the guilt of the accused can be safely drawn and no other hypothesis against the guilt is



possible. In a case depending largely upon circumstantial evidence, there is always a danger that conjecture or suspicion may take the place of legal proof. The court must satisfy itself that various circumstances in the chain of events must be such as to rule out a reasonable likelihood of the innocence of the accused. When the important link goes, the chain of circumstances gets snapped and the other circumstances cannot, in any manner, establish the guilt of the accused beyond all reasonable doubt. The court has to be watchful and avoid the danger of allowing the suspicion to take the place of legal proof for sometimes, unconsciously it may happen to be a short step between moral certainty and legal proof. There is a long mental distance between 'may be true' and 'must be true' and the same divides conjectures from sure conclusions."

16. Now adverting to the facts of the present case, the present case is also based on circumstantial evidence and evidence produced in the present case is to be tested on the touchstone of aforesaid principles as reflected in the cases supra. It is the specific case of the complainant that deceased Sangeeta Rani was being ill-treated by her in-laws since very inception of her marriage with Manjit Singh in the year 2003. Accused Nisha sister-in-law of Sangeeta Rani and accused Parveen Kumar husband of Nisha wanted to grab land owned by in-laws of Sangeeta Rani. Manjit Singh husband of Sangeeta Rani was a simpleton. Parveen Kumar wanted to obtain signatures of Manjit Singh in context of grabbing land of her in-laws, in which deceased Sangeeta Rani was creating a hurdle by asking her husband Manjit Singh not to sign those documents.



So under the pretext of ill health of his wife Nisha and telling that she wanted to meet Sangeeta Rani, Parveen Kumar took deceased Sangeeta Rani to his house and eliminated her on 07.03.2006. As per her post-mortem report, she had not died natural death. After cancellation of FIR registered in this case, the protest petition was filed by Ajit Singh complainant and the grandfather of Sangeeta Rani, in which only accused Parveen Kumar and Nisha were summoned and parents-in-law of Sangeeta Rani, namely, Raj Kumar and Sushil were not summoned.

17. Qua the plea of Sangeeta being ill-treated by her in-laws, there is testimony of PW8 Vikram Singh brother of deceased Sangeeta Rani and PW11 Narender Singh cousin of deceased Sangeeta Rani. It has been rightly pointed out by learned trial Court that testimony of PW8 Vikram Singh appears to be self contradictory. On one hand, he deposed that she was harassed and maltreated by her in-laws since very beginning of her marriage and on the other hand, he stated that she was eliminated by accused as she was creating hurdle in getting signed some documents by them from her husband, pertaining to land owned by her in-laws. If statement of PW8 Vikram Singh is to be believed that she was being treated no better than a servant by her in-laws, then it does not lie in his mouth to say that she was exerting that much influence that she was taken as a hurdle by the accused in getting signed the papers from her husband Manjit Singh. This witness also deposed that second child of Sangeeta Rani was miscarried as she was not got treated by her in-laws and neighbours of Sangeeta Rani informed them about death of child in her



womb, but not even iota of evidence brought on record in this respect. Neither name of any of the neighbours was disclosed nor name of any doctor or hospital was brought on record where she had been taken. Moreover, she was already having a child of two years and it is nowhere the case of the prosecution that she was not looked after properly during birth of her first child. Thus it has not been explained that what was the reason for not providing her any treatment during her second pregnancy and alleged miscarriage.

As per PW8 Vikram Singh brother of deceased Sangeeta Rani, deceased had been visiting their house in village Boh along with her husband on the occasions of festivals, marriages etc. and in the routine also she used to visit them and stay for a night or two and it continued till she was alive. In that eventuality, certainly she would have disclosed to her family members about the maltreatment and harassment at the hands of her in-laws, if any. Strange enough, no such complaint was earlier made regarding this harassment or maltreatment either by parents of the deceased or by deceased herself.

18. Information of death of Sangeeta Rani was firstly sent to mother of deceased at Delhi, where she was living alongwith her son. It was a natural conduct on the part of the accused to give the said information first of all to mother of deceased.

19. From the evidence on record, it transpires that Nisha got married with Parveen Kumar in the year 2000 whereas Manjit Singh got married with Sangeeta Rani in the year 2003. If the motive attributed to



the accused persons is taken to be true, then it has not been explained that what prevented the accused during these three years to get the land transferred in their name from Manjit Singh, when marriage of Manjit Singh had not been solemnized as yet with the deceased. Learned trial Court has rightly observed that it has also not been explained that why period of those 15-20 days, when Sangeeta Rani was in her sister-in-law's house (accused Nisha) was not utilized by accused Parveen Kumar to obtain signatures of Manjit Singh as per his wishes by visiting her in-laws house in the absence of Sangeeta Rani, which could have been easily done without eliminating Sangeeta Rani. Even nature of documents which the accused allegedly wanted to get signed from Manjit Singh has not been disclosed. As such, motive as alleged by the prosecution is not proved in the present case which is significant in a case of circumstantial evidence.

20. There is nothing on record to prove that Sangeeta Rani was unwilling to accompany accused Parveen Kumar for visiting their house to meet accused Nisha her sister-in-law. Rather her staying there for some days gives a strong indication that she was having cordial relations with her sister-in-law and was willingly staying there.

21. PW6 Dr. Sunil Kumar, Medical Officer alongwith Dr. Sarita Gulati conducted post-mortem on dead body of deceased Sangeeta Rani, who proved on record her post mortem report Ex.PW6/B. He stated that cause of death in this case as per their opinion Ex.PW6/F was due to suffocation caused by pressure on the chest producing fracture of left 2nd rib, rupture of left pleura and left lung.



22. PW12 Dr. Vijay Pal Khanagwal, Professor, Department of Forensic Medicine, PGIMS, Rohtak along with Dr. P.K. Paliwal, Associate Professor, Department of Forensic Medicine, Rohtak gave opinion regarding fracture injury on the person of Sangeeta Rani. He deposed that during external examination, he found that there was no mark of ligature. There was no wound present on the body. Left 2nd rib fracture was present. The cause of death in this case was due to asphyxia. After analysis and discussion, they opined vide Ex.PW12/B that fracture of a single rib (particularly the fracture of left 2nd rib alone as was noticed in this case) and the associated injuries i.e. rupture of the pleura and lung was least likely to be caused as a result of fall. The said injuries i.e. fracture of 2nd rib and ruptures of pleura and lung with haemo-thorax might prove fatal.

During his cross-examination, he stated that it was correct that cause of death in the post mortem report opined by the doctors who conducted the autopsy was given as asphyxia. Asphyxia could be on account of many reasons. He admitted it to be correct that in the post mortem report, cause of asphyxia had not been mentioned. If the pleura gets ruptured on account of injury infiltration of blood will occur in the pleural and chest cavity. There could be any amount of blood in the pleural and chest cavities depending upon the severity of the injury. There are very less chances of survival if about one liter of blood gets collected in the pleural cavity. In the present case, the doctor who conducted the autopsy had reported 50-100 cc blood in the pleural cavity. A patient with



50-100 cc blood in the pleural cavity may survive. In a case of injury over the chest region leading on to rupture of pleura and lungs, air and blood may get collected in the pleural and chest cavity, the entity is known as haemo-pneumo-thorax. This condition is clinical sign which could be ascertained during life and also for some time after death of the patient. In case of pneumo-thorax, usually sudden death may occur. The reason of bleeding from both the nostrils was not reported in the post mortem report. They furnished their opinion dated 07.02.2007 that fracture of single rib (fracture of left 2nd rib) and the associated injuries i.e. rupture of pleura and lung were least likely to be caused as a result of fall. The said injuries i.e. fracture of 2nd rib and rupture of pleura and lung with haemothorax may prove fatal. He further stated that since autopsy was not done by them, definite opinion regarding the exact manner in which the injury could have been caused, could not be given. He admitted it to be correct that in his statement Ex.PW12/C dated 16.07.2011, the term “more likely to be caused by some other individual and less likely to be caused by fall” had not been mentioned. He admitted it to be correct that dead body was not seen by them. No photographs/video of post mortem examination were supplied to them. They had never consulted the doctors who have conducted the autopsy in this case.

PW13 Dr. P.K. Paliwal, Professor and Head Department of Forensic Medicine also deposed on the similar lines. Thus, from the testimony of aforesaid witnesses, it transpires that they had conceded that since the autopsy was not done by them, definite opinion regarding exact



manner in which this injury could have been caused could not be given. Thus, no cogent evidence is on record that in which manner the injury was caused upon person of deceased resulting in fracture of rib. There is no definite evidence regarding that whether said injury could only be caused at the pointed place with an expert hand or it could have been caused in such a manner which would result into the said fracture, which would cause death of such person. It has not been explained that in which manner another individual would be able to cause fracture only of left 2nd rib, rupture of left pleura and left lung of the person concerned. Moreover, had it been a forcible act then some external injuries would have been present on the body of deceased, but no such injuries found mention in post mortem report as deposed by PW6 Dr. Sunil Kumar.

23. Even it has not been disclosed that what was that heavy object which was pointed at one vital place of body of the deceased. No recovery of any such object was effected. As already observed that if the external pressure had been caused with force then external marks were likely to be found on body of deceased, which are missing in this case. Learned trial Court has rightly held that absence of evidence of struggle and corresponding external injury is yet another vital aspect, which cannot be left unnoticed and a serious doubt arises about the cause of death of deceased as opined by doctors, examined on file.

24. No conspiracy between accused Parveen Kumar and Nisha, having intention to kill deceased Sangeeta Rani had been proved on record. In the absence of any cogent evidence in this respect, if both the



accused are related to each other then it does not mean that they had entered into conspiracy to commit the alleged murder.

25. Defence version seems to be probable that Sangeeta Rani died an accidental death due to fall in kitchen situated in the house of accused. Statements of various persons and residents of village Unaheri recorded to abovesaid effect were annexed with the cancellation report submitted by police in FIR No.37 dated 18.03.2006 initially registered in this case. Prosecution is under obligation to prove each and every ingredient of offence beyond any doubt. It was held by Hon'ble the Supreme Court in **Datar Singh Versus State of Punjab 1974 Crl. L.J. 908** that, “the judicial process can only operate on the firm foundations of actual and credible evidence on record. Mere suspicion or suspicious circumstances cannot relieve the prosecution of its primary duty of proving its case against an accused person beyond reasonable doubt. Courts of justice cannot be swayed by sentiment or prejudice against a person accused of the very reprehensible crime of patricide. They cannot even act on some conviction that an accused person has committed a crime unless his offence is proved by satisfactory evidence of it on record”.

26. It was held in **Swaran Singh Versus The State of Punjab 1957 AIR 637 (SC)** that, “the prosecution story may be true; but between 'may be true' and 'must be true' there is inevitably a long distance to travel and the whole of this distance must be covered by legal, reliable and unimpeachable evidence”.

27. In the instant case, there are gaping holes in the chain of link



evidence. Chain of circumstantial evidence is not so complete to link the accused with the commission of offences so as to point conclusively to the hypothesis of guilt of the accused and to no other conclusion.

28. It is a settled proposition of law that an order of acquittal is not to be interfered with lightly because presumption of innocence of the accused is further strengthened by acquittal. Interference is called for only under compelling circumstances, where impugned findings are perverse, unreasonable and convincing material on record is ignored unjustifiably by the trial Court. Merely because another view may be possible is not sufficient to cause interference. Reference in this regard can be made to judgment of Hon'ble the Supreme Court in '**Mahamadkhan Nathekhan vs. State of Gujarat**' 2014 (14) SCC 589. Learned counsel for the appellant was CRM-A-376-MA-2017 (O&M) 19 unable to point out any illegality, infirmity or perversity in the impugned decision dated 13.05.2022, which calls for any interference.

29. After analyzing the evidence on record, it can safely be concluded that prosecution has failed to prove its case against the accused beyond reasonable doubt. Evidence on record is indeed insufficient to convict the accused of the offence as charged with and they have been rightly acquitted by learned trial Court.

30. No other argument was raised.

31. In view of the above, no case is made out for grant of leave to appeal against acquittal of respondents no.2 and 3 and therefore, leave to appeal is dismissed.



32. Pending applications, if any, shall also stand disposed of accordingly.

(SUKHVINDER KAUR)
JUDGE

(SUDHIR SINGH)
JUDGE

09.04.2025

harjeet

Whether speaking/reasoned?

Yes/No

Whether reportable?

Yes/No