

(1986) 10 AHC CK 0055
In the Allahabad High Court
Case No : Criminal Revision No. 1832 of 1986

Munna Lal

APPELLANT

Vs

Manohar and Others

RESPONDENT

Date of Decision : 23-10-1986

Acts Referred:

Penal Code, 1860 (IPC) — Section 323, 325, 504, 506

Citation : (1987) 11 ACR 91

Hon'ble Judges : R.P. Shukla, J

Bench : Single Bench

Final Decision : Dismissed

Judgement

R.P. Shukla, J.—This Criminal revision is directed against the order dated 15-4-86 passed by the IIIrd Judicial Magistrate Bareilly acquitting the opposite parties under Sections 323, 325, 504 and 506 IPC.

2. I have perused the judgment of the trial Court. It is clearly found that the injuries received by the injured could not be said to have been received in the incident alleged by them. Even the place of occurrence was different that the one alleged by the witnesses as the time of occurrence and the place of occurrence have not been successfully proved by the prosecution, and the incident was reported after nine hours at the police station and there is conflict between the medical evidence and the oral testimony. In the circumstances the Magistrate has recorded the judgment of acquittal. The judgment can not be said to be perverse. In this view of the matter the revision fails and is dismissed.