
(2013) 07 P&H CK 0038

In the Punjab And Haryana At Chandigarh

Case No : Criminal Rev. No. 2067 of 2012 (O and M)

Ranjha Ram and Another

APPELLANT

Vs

State of Haryana and Another

RESPONDENT

Date of Decision : 22-07-2013

Acts Referred:

Criminal Procedure Code, 1973 (CrPC) — Section 401

Citation : (2013) 07 P&H CK 0038

Hon'ble Judges : Sabina, J

Bench : Single Bench

Advocate : Amandeep Singh, for Mr. A.S. Sullar, for the Appellant;

Final Decision : Dismissed

Judgement

Sabina, J.—This petition has been filed by the petitioner u/s 401 of the Code of Criminal Procedure, 1973 challenging judgments of the Courts below, whereby respondent No. 2 was acquitted of the charges framed against him. I have heard learned counsel for the petitioners and have gone through the record available on the file carefully.

2. In the present case, prosecution story, in brief, is that respondent No. 2 had received Abiyana (water revenue) and had failed to deposit the same in the treasury in the year 1992-93. Inquiry was conducted by Tehsildar as well as Sub Divisional Officer (Civil) and it was reported that from several villagers water revenue had been charged by respondent No. 2 but had not been deposited in the treasury. The Courts below, while acquitting respondent No. 2 of the charges framed against him, have held that petitioner No. 1 Ranjha Ram, while appearing in the witness box as PW-1, had admitted that water revenue was being deposited by his son Kashmir Chand and he did not know before whom the said amount was deposited. He further admitted that he had himself never visited the office for making payment of water revenue. He had only heard in the village that respondent No. 2 was charging excess water revenue. Kashmir Chand, son of Ranjha Ram, had got the land measuring 7 kanals 3 marlas by way of gift

from Bhirawan Bai.

3. So far as petitioner No. 2 is concerned, the trial Court has noticed that as per Ex. D-1, father of the said petitioner had paid water revenue to the tune of Rs. 299.45 Paise.

4. Respondent No. 2 had examined DW-1 Ramesh Kumar, who had deposed that Rs. 15/- were collected as chowkidar fee in terms of the instructions issued by the Tehsildar. DW-2 Mahender Kumar patwari had deposed that the amount with regard to the water revenue had been deposited by respondent No. 2.

5. Thus the reasons given by the Courts below, while acquitting respondent No. 2 of the charges framed against him are, thus, sound reasons. Learned counsel for the petitioners has failed to point out any misreading of evidence by the trial Court. No ground for interference by this Court is made out. Accordingly, this petition is dismissed.