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

Criminal Revision No. 1876 of 2006

Date of decision: 30.3.2007

Darshan Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR.JUSTICE RAJESH BINDAL

Present: Mr.Ranjan Lakhanpal, Advocate for the petitioner.

RAJESH BINDAL, J.

By filing the present revision petition under Section 401 of Code of Criminal Procedure, 1973 petitioner submits that the order passed by learned Additional Sessions Judge, Moga, whereby he acquitted the accused, is not in conformity with law.

I have heard learned counsel for the petitioner.

Learned counsel for the petitioner, though took pains, but was not able to satisfy this Court as to how the findings recorded by the learned Additional Sessions Judge, acquitting the accused, is not tenable in view of any material on record. He could not deny that there were numerous infirmities in the case built up by the prosecution. There was complete lacking in the chain of events and linking evidence. Lacuna in the medical evidence is also not denied. The scope of revision is not to re-appreciate the evidence and record a different finding than what is recorded by the learned trial Court only because a second view may be possible. Keeping

these facts in view, in my opinion, learned Additional Sessions Judge has not committed any illegality in acquitting the accused of the charges framed against them.

Accordingly, while concurring with the view expressed by learned Additional Sessions Judge, the revision petition is dismissed.

March 30, 2007
Pka

(Rajesh Bindal)
Judge