

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

**Crl.Rev. No.1069 of 2007  
Date of Decision:- 31.8.2007**

Gurdev Singh

....Petitioner(s)

through  
Mr.Gorakh Nath, Advocate

vs.

State of Punjab & ors.

....Respondent(s)

through  
Mr.Sandeep Moudgil, DAG, Punjab.

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**CORAM:-HON'BLE MR.JUSTICE SURYA KANT.**

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- 1) Whether Reporters of the local papers may be allowed to see the judgment?
- 2) To be referred to the Reporters or not?
- 3) Whether the judgment should be reported in the Digest?

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**SURYA KANT, J. (ORAL)**

This criminal revision is directed against the judgment dated 11.12.2006 passed by the learned Sessions Judge, Ferozepur whereby nine accused-respondents have been acquitted in a sessions trial arising out of F.I.R.No.96 dated 8.4.2006 under Sections 302, 304, 325, 323, 427, 148, 149 IPC, registered at Police Station City, Abohar.

The facts may be noticed briefly.

The occurrence is alleged to have taken place on 8.4.2006 when the complainant-Satish Narang, who is a practising Advocate, allegedly accompanied by his junior, namely, Vivek @ Vicky along with their Driver Jagdish went to the spot where the accused persons were trying to take forcible possession of the land owned by the junior Advocate, namely, Vivek @ Vicky. The accused party is stated to have attacked the complainant, his junior and their driver (Jagdish) as also the complainant's

another friend Ravi Sethi. All of them received injuries from different weapons like *Spade, Sticks & Kirpans*. They were rushed to the hospital where Jagdish unfortunately succumbed to the injuries.

As is revealed in para 5 of the impugned judgment and not disputed by learned counsel for the parties, neither the complainant Satish Narang, Advocate (PW-3) nor the alleged eye-witnesses, namely, Charanjit (PW-1) and Ravi Sethi (PW-2) have supported the prosecution case. They were declared hostile. No other evidence was led by the prosecution to connect the accused-respondents even remotely with the incident.

In the absence of any such evidence whatsoever on record, the learned Sessions Judge has held and rightly so that the prosecution has failed to prove its case.

It is stated by Mr.Moudgil, learned DAG, Punjab, that there being not an iota of evidence to connect the accused persons with the reported offence, the State has not preferred any appeal.

He has also pointed out that the petitioner has no *locus standi* to file this revision petition as he is neither the complainant nor a witness nor does he figure anywhere in respect of the alleged occurrence.

Without going into the question of petitioner's *locus* but having gone through the impugned judgment and the admitted facts that the prosecution witnesses, especially the eye witnesses or the complainant have not supported the prosecution case and there is no other link evidence on record, I am satisfied that no interference in the impugned judgment is called for.

Dismissed.

**August 31, 2007**  
poonam

**( SURYA KANT )**  
**JUDGE**