

**In the Court of Sh. Palwinder Singh,
Sub Divisional Judicial Magistrate, Ajnala**

CNR No. PBASA10044492025

Case No. CHI-1049-2025



Presented on : 06-11-2025
Registered on : 06-11-2025
Decided on : 09-07-2026

State of Punjab
Versus

- 1. Parveen son of Tilak Raj,
- 2. Prince son of Tilak Raj,
- 3. Banti son of Tilak Raj, all residents of village Kotla Doom, PS Rajasansi, District Amritsar.

.....**Accused**

FIR No.156 dated 04.10.2025
Under Sections 117(2), 115(2), 3(5) BNS
Police Station Rajasansi.

Present: Ld. APP for the State.

 Accused Parveen, Prince and Banti on bail with Sh. Manjit Singh Bhatti, Advocate.

JUDGMENT:-

The above named accused are sent up by the SHO, P.S. Rajasansi, to face trial for the offence punishable under Sections 117(2), 115(2), 3(5) BNS, PS Rajasansi.

2. The prosecution story, in brief, is that the present case has been registered on the basis of statement of the complainant Amandeep Singh son of Harjit Singh, resident of Kotla Doom, PS Rajasansi to the

effect that he is resident of above said address and do work as a labourer. On 04.08.2025 at about 04.00 PM he went to Gurudwara Sahib of his village for drinking water, where Parveen armed with Kadda, Prince armed with Kadda, Banti armed with Dang residents of his village came inside the Gurudwara and Parveen Singh raised a Lalkara that caught hold him and teach him a lesson for helping Goldy son of Hari Singh, then Prince hit him with his Kadda which hit on his head. Then Parveen hit him with his Kadda which hit on right side of his head. When he/complainant tried to ran away he hit me with his dang which hit on the backside of his back. He raised hue and cry and on hearing the same his brother Karan Singh came present on the spot and the above said accused persons ran away from the spot along with their respective weapons. His brother Karan Singh after arranging the vehicle got admitted him to the Government Hospital Lopoke where doctors bandaged his injuries and referred him to the Guru Nanak Dev Hospital, Amritsar where he was medically treated. On the basis of the complainant statement, present FIR was lodged. During investigation accused were arrested. Statements of witnesses were recorded. After the completion of the investigation, challan against the accused persons presented in the Court.

3. On appearance of accused, copies of challan and other documents supplied to the accused persons free of costs as required U/s 207 Cr. P.C. (now Section 230 of BNSS).

4. Finding a prima-facie case, charge under Sections 117(2), 115(2), 3(5) BNS was framed against the accused, to which, they have

pleaded not guilty and claimed trial.

5. In order to prove its case, prosecution has examined PW1 Amandeep Singh. Complainant himself did not support the case of the prosecution and therefore learned APP for the State declared them hostile and ld. APP for the State closed evidence on behalf of the prosecution.

6. Since, there was nothing incriminating in the prosecution evidence against the accused persons, the statement of accused persons under Section 313 Cr. P.C was dispensed with as material witness i.e. complainant had turned hostile.

7. After going through the respective submissions made by learned APP for the State and the learned defence counsel and I have also perused the record on the case file, minutely.

8. In order to prove its case, the prosecution examined complainant Amandeep Singh, who stepped into witness box as PW-1 and stated that he never got recorded his statement before the police nor the police never met him in this case. Accused persons never committed any offence against him. He did not identified the accused persons present in the Court. Police had taken his signatures on the blank papers. Learned APP for the State got declared him hostile and in his cross-examination, he denied the contents of his statement Mark A. Attention of the witness was drawn towards portion Z to Z1 of his statement Mark A recorded before the police, however he stated that he never recorded such type of statement before police. The aforesaid statement was read over to witness in simple Punjabi language however he denied the same.

9. The prosecution in order to connect the accused persons with the commission of offence have examined complainant Amandeep Singh as PW1. The criminal law was set into motion by the complainant PW-1 Amandeep Singh, on the basis of whose statement present case was registered. From the perusal of case file, it transpires that PW-1 Amandeep Singh, who is complainant/injured/victim of this case, while appearing in the witness box did not support the case of the prosecution and did not identify accused present in the Court. In spite of the lengthy cross-examination conducted by Learned APP for the State, he did not budge and remain firm on his statement. The prosecution in the first instance was to establish the identity of the accused beyond shadow of any reasonable doubt to prove his complicity in the commission of alleged offence. Here in this case, the explicit state of affair is that the complainant/injured has not supported the case of the prosecution.

10. So, in view of my above discussion, it is the basic rule of jurisprudence that prosecution has to prove its case against the accused beyond shadow of any reasonable doubt, but in the instant case, prosecution has failed to prove its case against the accused beyond shadow of any reasonable doubt, because, the star witness of the prosecution is complainant/injured/victim and he has not supported the case of the prosecution. Therefore, this court acquitted the accused namely **Parveen, Prince and Banti** from the charges framed against them in this case, by giving them the benefit of doubt. Case property, if any, be dealt with as per rules, after the expiry period of limitation, for filing an

appeal/revision, if any. Sureties are discharged from the liabilities under the bonds.

Pronounced:-
09.07.2026
Vikaskumar St. Gr-II

(Palwinder Singh)
Sub Divisional Judicial Magistrate,
Ajnala (UID Code PB0413)