

State of Haryana VS Sukhwinder Singh

1

In the Court of Neha Singh, Judicial Magistrate Ist Class, Yamuna Nagar
at Jagadhri, UID HR0572

	<u><i>Criminal Case No.: CHI/1070/2024</i></u> <u><i>CNR No.: HRYN030128732024</i></u> <u><i>Date of Institution: 31-05-2024</i></u> <u><i>Date of Decision: 18-07-2026</i></u>
---	--

State

Versus

Sukhwinder Singh son of Kartar Singh, resident of Kotar Khana, PS Chappar, Yamuna Nagar, Haryana, India.
--

FIR No.	305
FIR dated	11.09.2023
Under-Sections	120-B, 385, 506 of IPC
Police Station	Chappar

Represented by:	Learned APP for the State. Accused Sukhwinder Singh on bail, represented by Shri Happy Thakur, Advocate.
-----------------	--

JUDGMENT

Above named accused person has been sent up by SHO,
Police Station Chappar to face trial for the commission of an offence punishable under Sections 120-B, 385, 506 of IPC.

(Neha Singh)
JMIC/Jagadhri
UID No. HR0572

2. The facts of the prosecution case are that the present case was registered on the basis of complaint moved by complainant wherein it is stated that on 11.09.2023, in the area of P.S Farakpur, the accused put complainant Amit Verma in fear of injury in order to commit extortion and also threatened him with dire consequences of life. With these submissions, the complainant prayed for taking the legal action against the accused. On the basis of this statement, formal FIR was registered. Statements of witnesses were recorded. Accused was arrested. After completion of the necessary investigation, report under Section 173, Cr.P.C., was submitted in the court.

3. On the basis of the said statement, formal FIR was registered against the accused. Statements of witnesses were recorded. The accused person was joined into investigation. After completion of investigation, report under Section 173 Cr.P.C., was submitted in the court against the above-named accused person.

4. Copy of challan was supplied to accused free of cost as envisaged u/s 207 of Cr.P.C.

5. Accused was charge sheeted under Sections 385, 506 of IPC read with Section 120-B of IPC vide order dated 22.07.2024. Thereafter, the charge was read over and explained to him in vernacular, to which accused did not plead guilty and claimed trial.

6. In order to prove its case, the prosecution examined following witnesses:-

PW1	<i>Amit Verma</i>	Hostile Witness
PW3 (PW2 given up as per the list of witnesses)	ASI Tarsem Kumar No. 418	Police Official
PW4	SI Gurmej Singh No. 322/A	Police Official

Thereafter, the prosecution evidence was closed by Learned APP by making statement.

7. Statement of accused under Section 313 Cr.PC was recorded in which he pleaded innocence and false implication. However, accused opted not to lead any evidence in defence.

8. I have heard the learned APP for the State and learned defence counsel and have gone through the case file carefully.

SUBMISSIONS

9. The learned defence counsel has argued that as the star witness of the prosecution had failed to support the case of the prosecution, there is nothing against the accused and hence he is entitled to acquittal.

10. I have also heard the learned APP for the State in this regard, but on the record learned APP for the State has nothing to seek the

conviction of the accused, when the witness/complainant did not support the prosecution story.

LEGAL ANALYSIS

11. I have gone through the testimony of complainant. The complainant while appearing in the witness box as PW1 has not supported the case of the prosecution. In his cross-examination, he resiled from his statement Ex.PW1/B and deposed that he did not give any such statement to the police. The said witness was also cross-examined by the learned APP but nothing helpful to the case of the prosecution has come on record.

12. The remaining witnesses examined by the prosecution are police officials, who have just proved the documents prepared by them and are not the spot witnesses as they came into picture after the alleged incident.

CONCLUSION

13. In view of the above said evidence on the record, when the material witness of the prosecution has not supported the prosecution story, there is nothing against accused and consequently the court has no other option but to acquit the accused person. Accordingly, the accused person present in the court is **acquitted** of the charges framed against him. His bail bonds stand extended for a period of six months in compliance of Section 437A of the Code of Criminal Procedure. Case property if any, be dealt

with as per rules after the expiry of period of appeal or revision, if any, in this case.

14. *Ahlmad is directed that the file for consignment should be prepared as per clauses 3, 4, 5 and 6 of Chapter 16F Volume-IV of High Court Rules and Orders (i.e. arranging the files in Part A & B) so that the record which is to be destroyed/weeded out shall be kept separately from the initial stage. Reader/Ahlmad are also directed to prepare the list of the witnesses and exhibits, if any, at the end in an annexure form as per clause (9) of Rule 2 of Chapter 11, Volume-I, Part A of the Rules and Orders of Punjab and Haryana High Court.*

Announced in open court:
18.07.2026

(Neha Singh)
Judicial Magistrate Ist Class,
Yamuna Nagar at Jagadhri
UID No. HR0572

Note: All pages checked and signed by me.

bhawna

(Neha Singh)
JMIC/Jagadhri
UID No. HR0572