

HRKHA10014032022



**In the Court of Rajvinder Singh, Judicial Magistrate First Class, Guhla,
UID HR 0451**

Criminal Case No.175/2022
Date of Institution: 19.10.2022
CIS No.CHI/219/2022
CNR No. HRKHA1-001403-2022
Date of Decision: 02.04.2025.

State	Versus	1. Gurdeep Singh s/o Harwant Singh, r/o Kadamia, Village Baupur, Cheeka, District Kaithal.
		2. Gurjinder Singh s/o Harwant Singh, r/o Kadamia, Village Baupur, Cheeka, District Kaithal.
		Accused.
		FIR No.399 dated 20.09.2022 U/s: 201, 323, 325, 506, 34 of IPC. Police Station: Cheeka, District Kaithal.

Present: Shri Ravinder Singh, Assistant Public Prosecutor for the
State.
Accused Gurdeep Singh and Gurjinder Singh on bail
represented by Shri S.S. Vohra, Advocate.

JUDGMENT:

The accused named above have been sent up to face trial by
SHO, Police Station: Cheeka, District Kaithal for the commission of
offence punishable under Sections 201, 323, 325, 506, 34 of IPC.

FACTS:-

2. The prosecution story stated briefly is that on 19.09.2022, at

about 09.15 PM, accused persons in furtherance of their common intention voluntarily caused simple and grievous hurt with sharp and blunt weapons to the complainant and her family member and criminally intimidated them by threatening to kill them. It is also the allegation that the accused persons in furtherance of their common intention destroyed the weapons which were used in the commission of crime. The statement was given by complainant to the police. With these allegations, the complainant prayed for taking the action against the accused persons.

3. On the basis of the said statement, formal FIR was registered against the accused persons. Statements of witnesses were recorded. The accused persons were joined into investigation. Site plan of place of occurrence of offence was prepared. After completion of investigation, report under Section 173 Cr.P.C., was submitted in the court.

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

5. The accused were charge sheeted under Sections 201, 323, 325, 506 read with Section 34 of IPC vide order dated 19.10.2022. Thereafter, the charge was read over and explained to them in vernacular, to which they did not plead guilty and claimed trial.

6. In order to prove its case, the prosecution examined only four witnesses namely Daljeet Kaur as **PW1**, who in her examination-in-chief has reiterated the contents of her statement Ex.PW1/A, but during her cross-examination, she has levelled no imputation against accused persons

facing trial.

7. **PW2** is Dilbag Singh, **PW3** is Sukhwinder Singh and **PW4** is Mukhwinder and they did not support the prosecution story and were declared hostile. Thereafter, the prosecution evidence was closed by Learned APP by making statement on 21.03.2025.

8. The statement of the accused under Section 313 of the Code of Criminal procedure was duly recorded in which they denied all the allegations leveled against them and stated that the witnesses have deposed falsely against them and false FIR has been registered. The accused opted not to lead evidence in defence.

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

10. The learned defence counsel has argued that as the star witnesses of the prosecution had failed to support the case of the prosecution, there is nothing against the accused persons and hence, they are entitled to acquittal.

11. 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 persons, when the witnesses/ complainant/ injured did not support the prosecution story.

12. I have gone through the testimonies of witnesses. **PW1** Daljeet Kaur (complainant), in her examination-in-chief she has reiterated the contents of her statement Ex.PW1/A. But, during her cross-

examination conducted by learned defence counsel, she has stated that she was never beaten by the accused persons. The complainant was allowed to be re-examined by Id. APP for the State and during her re-examination, she stated that on 19.10.2023, she gave statement in the Court under pressure. So, it is clear that complainant in her cross-examination has levelled no imputation against accused persons.

13. Further, **PW2** is Dilbag Singh, **PW3** is Sukhwinder Singh and **PW4** is Mukhwinder (injured) and they have deposed in their respective examination-in-chief that accused have not quarreled with them. No imputation was leveled upon against the accused persons present in the Court by above witnesses. Ld. APP requested to the court to declare the witnesses hostile as they were suppressing the truth and to grant him the permission to put questions to the witnesses which can be put to them in their cross-examination. The request of the Ld. APP was allowed and he was permitted to ask questions which can only be asked in the cross-examination of the witnesses. On further examination, the witnesses stood consistent with the stand taken by them in their preceding examinations-in-chief and did not implicate the accused persons. PW2, PW3 and PW4 denied of giving any statements Ex.PW2/A, Ex.PW3/A and PW4/A to the police.

14. In view of the above-said evidence on the record, when the material witnesses/complainant of the prosecution have not supported the prosecution story, there is nothing against the accused persons and

consequently the court has no other option but to acquit the accused persons. Accordingly, accused persons namely **Gurdeep Singh and Gurjinder Singh** present in the court are **acquitted** of the charges framed against them. Their bail bonds and surety bonds stands discharged. Case property, if any, be disposed of, as per the rules, after expiry of period of appeal/revision, if any. File be consigned to records, after due compliance.

Announced in open court:
02.04.2025

(Rajvinder Singh)
Judicial Magistrate First Class,
Guhla, (UID HR 0451)

Note: This Judgment contains 05 pages and all the pages have been checked and signed by me.

(Rajvinder Singh)
Judicial Magistrate First Class,
Guhla.(UID HR 0451)

Sumit, Stenographer-III