

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Criminal Revision Petition No. 951/2008

Kewal Chand S/o Gorkha Ram Aged about 62 years R/o Dhani
Bazar, Barmer

-----Petitioner

Versus

1. State Of Rajasthan
2. Sabal Singh S/o Nepal Singh R/o Harsani Dist. Barmer
3. Manohar Singh S/o Kan Singh R/o Biswakallan

-----Respondent

For Petitioner(s)	:	Mr. K.L. Chauhan
For Respondent(s)	:	Mr. S.S. Rathore, Dy.G.A. Mr. G.S. Bhati

HON'BLE MR. JUSTICE FARJAND ALI

Order

17/07/2025

1. The petitioner, who at the relevant time was serving as the Development Officer of Village Shiv, has preferred the present Criminal Revision Petition assailing the judgment of acquittal passed by the learned Trial Court. The grievance stems from an incident wherein the petitioner alleged that he was assaulted by the respondents during the discharge of his official duties, resulting in physical injuries and constituting acts of humiliation and intimidation. Based on these allegations, a formal complaint was lodged, and following investigation, a charge-sheet was filed against the respondents.

2. Upon conclusion of a full-fledged trial, the learned Trial Court undertook a meticulous evaluation of the evidentiary record and proceeded to acquit the accused. The Court noted with concern that the petitioner, despite being the principal complainant and a

responsible public servant, failed to appear for examination during the trial, despite having been afforded multiple opportunities. This non-cooperation amounted to a significant lapse in prosecutorial diligence.

2.1. Moreover, the purported eyewitnesses examined by the prosecution did not support its version and expressly declined to identify or implicate the accused persons. The resultant lack of substantive oral and corroborative testimony critically weakened the prosecution's case.

3. In view of these material deficiencies—namely, the complainant's absence from the witness box and the categorical disavowal by the key witnesses—the Trial Court extended the benefit of doubt to the accused and rendered a well-reasoned verdict of acquittal, having found that the prosecution had failed to discharge its burden of proof.

4. Upon careful perusal of the record and the reasoning assigned by the Trial Court, this Court finds no infirmity warranting appellate interference. The impugned judgment is firmly rooted in a sound appraisal of facts and legal principles governing acquittals.

5. Accordingly, the Criminal Revision Petition stands dismissed for lack of merit. All pending applications, if any, stand disposed of. Let the trial court record be returned forthwith.

(FARJAND ALI),J