

**SUPREME COURT OF INDIA**

State of Haryana

Vs.

Jai Parkash

Crl.A.No.219 of 1992

(G. B. Pattanaik and R. P. Sethi, JJ.)

14.03.2000

**ORDER**

1. The State of Haryana has preferred this appeal against six accused persons who stood tried for having committed offence under Sections 306 and 498-A I.P.C.

The learned trial Judge, on appreciation of evidence, acquitted four of them. The State did not carry any appeal to the High Court against the acquittal of those four persons.

2. The two convicted persons, namely, Jai Parkash and Shanti Devi preferred criminal appeal in the High Court of Punjab and Haryana against their conviction and sentence. The learned Judge re-appreciated the evidence and came to the conclusion that the two star prosecution witnesses, namely, the father and the brother of the deceased have made so many improvements in their testimony from stage to stage that it is difficult to place reliance on their testimony, and ultimately acquitted them of the charges levelled against.

3. The State though has preferred this appeal against the order of acquittal passed by the High

Court, has not even produced a copy of the evidence of the two relevant witnesses, namely, the father and the brother of the deceased for appreciation of this Court. On going through the impugned judgment of the High Court, we do not find any perversity or erroneous approach in the matter of appreciation of evidence which requires interference of this Court. We accordingly dismiss this appeal.

Appeal dismissed.