

In the High Court of Punjab and Haryana at Chandigarh

CRA-S-2221-SB of 2004

Date of decision: 5.6.2015

Kalaljit Kaur

.....Appellant

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Naresh Prabhakar, Advocate,
for the appellant.

Mr.A.S.Kler, DAG, Punjab.

- 1. Whether Reporters of local papers may be allowed to see the judgment ?***
- 2. To be referred to the Reporters or not ?***
- 3. Whether the judgment should be reported in the Digest?***

RAJ MOHAN SINGH, J.

This appeal is directed against the order dated 24.4.2004 passed by the Additional Sessions Judge (FTC), Kapurthala, vide which application filed by the appellant seeking permission to return the articles so recovered in case bearing FIR No.97 dated 10.6.2003 registered under Sections 399/ 402 IPC and under Section 25 of the Arms Act at Police Station Subhanpur District Kapurthala on *sapurdari*, was dismissed.

Since the prosecution story has been found to be unsustainable with regard to aforesaid FIR, the recoveries

effected from the accused/ appellant were held to be not in pursuance to any accusation arising out of offence under Sections 399/ 402 IPC.

Vide judgment of the even date, appeals filed by the accused have been allowed and they have been acquitted, therefore, articles so recovered are liable to be restored to the persons from whom they were recovered.

Accordingly, this appeal is allowed. The articles, so recovered, are ordered to be restored to the concerned parties after proper verification and receipt.

(RAJ MOHAN SINGH)
JUDGE

June 05, 2015

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