

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Appeal No. D-962-DB of 2014
Date of Decision : March 10, 2015

Harish Bhardwaj

....Appellant

Versus

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE T.P.S. MANN
HON'BLE MR. JUSTICE MAHAVIR S. CHAUHAN

Present : Mr. N.S.Shekhawat, Advocate
for the appellant.

T.P.S. MANN, J.

The present appeal is directed against the judgment dated 11.3.2014 passed by the Additional Sessions Judge, Narnaul, whereby respondent Nos. 2 and 3 were acquitted of the charges framed against them.

Learned counsel fore the appellant has submitted that respondent No.2 had taken active part in the commission of crime as she was present at the time of occurrence and had made phone calls to other accused to reach there. It is also submitted that respondent No.3 was also present at the time of occurrence and had harboured his co-accused.

After hearing learned counsel for the appellant, this Court finds that the prosecution could not bring any evidence on record to show that it was respondent No.2, who had made phone calls to any of her co-accused. Merely because PW-3 Sugriv had stated that he saw her (respondent No.2) making phone calls while sitting in the car is not sufficient to connect her with the crime as it has not come on record that to whom she had made any such calls. As regards respondent No.3, none of the prosecution witnesses deposed that he was present at the place of occurrence or had harboured any of the accused involved in the case.

In view of the above, no fault can be found with the impugned judgement passed by the trial Court to the extent of acquitting respondent Nos. 2 and 3 of the charges against them.

Resultantly, the appeal is without any merit and, therefore, dismissed.

(T.P.S. MANN)
JUDGE

(MAHAVIR S. CHAUHAN)
JUDGE

March 10, 2015
pds.