

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No. M-328 of 2015

Date of Decision: 24.03.2015

Ram Mehar

....Petitioner

v.

UT of Chandigarh

....Respondent

CORAM: HON'BLE MS. JUSTICE NAVITA SINGH

Present: Mr. V.B. Aggarwal, Advocate for the petitioner.

Mr. J.S. Toor, APP for UT, Chandigarh.

Mr. Deepak Jain, Advocate for the complainant.

Navita Singh, J.

Counsel for the petitioner submits that despite obtaining nine opportunities for evidence, the prosecution has not examined any witness. He first submitted that the petitioner was not named in the FIR but on confrontation, he submitted that the petitioner was named therein and then said that he had no role to play and he was falsely involved.

Counsel for UT submits that the petitioner had been declared the proclaimed offender. Also he was using different identities and was found in possession of two PAN cards.

On query, counsel for the petitioner submitted that the PAN cards were created by the police which is absolutely not believable.

The wife of the petitioner is wanted in another case and she has also been declared proclaimed offender. Though this fact otherwise has no bearing on the case in hand but the fact is that the petitioner had absconded and that he was using different identities at different times. Unless

a person has intention to commit offence specially of fraud and cheating, he would not use any identity other than the true one.

At this stage, when it was clear that the Court was not inclined to grant the relief, counsel for the petitioner submits that he wanted to withdraw the petition.

Dismissed as withdrawn.

However, prosecution is directed to examine the substantial number of witnesses on the next date.

**(NAVITA SINGH)
JUDGE**

**March 24, 2015
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