

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRR No. 1879 of 2015 (O&M)

Date of decision : October 01, 2015

Sonu Kumar @ Chhotu Ram,

..... Petitioner

v.

State of Haryana,

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. HS Brar, Advocate
for the petitioner.

Mr. Chetan Sharma, AAG Haryana

1. **Whether Reporters of Local Newspapers 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 ?**

Ajay Tewari, J (Oral)

Mr. Paramjeet Samota, DSP Hisar is present in Court pursuant to the order dated 17.7.2015.

On 25.5.2015, the following order was passed :-

“ Learned counsel for the petitioner contends that application filed by the petitioner for leading defence evidence has been dismissed by the learned Additional Sessions Judge, Hisar vide order dated 23.04.2015 (Annexure P/4). However, the Court observed that voice and handwriting of the prosecutrix can be compared through some private expert. Learned counsel further contends that there is no availability of private expert. However, the petitioner is ready to bear the expenses for getting the voice tested from the Government Laboratory including Central Forensic Science Laboratory.

Notice of motion to the Advocate General, Haryana, for 07.07.2015.

In the meantime, passing of final order is stayed.”

It is the stand of counsel for the petitioner that even if now the respondent can identify any private expert he would have no objection but the fact of the matter is that there is no private expert and, therefore, the petitioner should be permitted to use the services of the government expert for the purpose.

Learned AAG Haryana, on instructions from DSP Paramjeet Samota, has accepted that there is no private expert who does comparison of voice samples. However, as per him, there are many persons who are experts in handwriting examination.

In these circumstances, as regards the prayer for examining the handwriting of the prosecutrix by a government expert, the same is declined. For the purpose of analyzing the voice samples, the petitioner is entitled to use the services of the government expert of the CFSL. It is, however, clarified that the petitioner shall not be granted more than three effective opportunities for leading his entire evidence.

With these observations, this petition is disposed of.

(AJAY TEWARI)
JUDGE

October 01, 2015
`kk'