

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Revision No. 1703 of 2015

Date of decision : 31.03.2016

Sant Gurmeet Ram Rahim Singh

..... Petitioner

versus

Central Bureau of Investigation, Chandigarh

... Respondent

CORAM:- HON'BLE MRS. JUSTICE ANITA CHAUDHRY

1. Whether Reporters of local papers may be allowed to see the judgment?

2. To be referred to the Reporters or not? Yes

3. Whether the judgment should be reported in the digest?

**Present: Mr. S.K. Garg Narwana, Sr. Advocate with
Mr. Karan Garg, Advocate
for the petitioner**

**Mr. Chetan Mittal, ASG, India with
Mr. Sumeet Goel, Standing counsel for CBI**

ANITA CHAUDHRY, J. (ORAL)

This revision is directed against the order dated 06.04.2015 vide which the Special Judge (CBI) Haryana at Panchkula sent the specimen handwriting/signatures of the prosecutrix to CFSL Chandigarh for comparison. The petitioners are partly aggrieved with this order. The only grievance is that it should have been sent to FSL Madhuban or CFSL CBI, New Delhi as that was the prayer made by them.

The case has a chequered history and I would give few dates to give a pictorial view.

An anonymous letter was sent to the High Court and taking notice the matter was entrusted to CBI. The allegations were that Sadhvis in the Dera Sacha Sauda were exploited. CBI recorded the statement of the

victim in July 2006. The challan was presented some time in 2007. Charge was framed in September 2008. The victims were examined/cross-examined on number of dates and the period spanning over 1½ years. The prosecutrix was confronted with handwriting said to have been written by her which she had denied. The accused moved an application seeking her specimen signatures. The only prayer made there was with respect to taking her sample signatures/handwriting in the application moved on 09.05.2009. The CBI Court deferred the adjudication of the application to a later date i.e. when the case was fixed for defence evidence. The order was challenged in a revision. The High Court directed the trial Court to decide the application. That application was decided in April 2010. The prosecutrix was directed to give her specimen signatures/handwriting. The father of the prosecutrix challenged that order. Upon disposal thereof, CBI was directed to produce the prosecutrix. The prosecutrix appeared and gave her specimen handwriting. The prosecution led its entire evidence. The statement of the accused was recorded. The defence gave a list of 98 witnesses. The trial Court curtailed the list. The order was challenged and the same was set aside. Directions were given to the trial Court to hear the parties regarding the relevancy of each witnesses. The defence reduced its list to 24 witnesses. The trial Court heard the matter at length and allowed the defence to examine 5 witnesses. It also allowed the accused to get the handwriting/specimen signatures compared from the handwriting expert of its own choice which was not done. The defence evidence was closed ultimately on 05.03.2015.

In the present petition the only grievance is that the papers should have been sent to the Forensic Science Laboratory of their choice.

I have heard both the sides at great length.

Learned counsel for the petitioner took me through all the orders

passed from time to time and it was urged that the Court had given no reason for sending the specimen handwriting to CFSL Chandigarh when the prayer made by them was to send it to two other laboratories.

The submission on the other hand was that it is the discretion of the Court and the nearest CFSL laboratory was at Chandigarh and the attempt is only to delay the trial in every possible way.

The trial Court had allowed the application and had sent the documents for comparison to the nearest laboratory, which is at Chandigarh. The credibility of the Forensic Laboratory at Chandigarh is not under cloud. The petitioner has been unable to point out any enquiry against any officers of this Laboratory. They have not been able to point out that any strictures have been passed against any of the officials. In my considered view the attempt by the petitioner is only to delay the trial in every possible way and nothing more. There is no infirmity in the impugned order.

The petition is dismissed.

March 31, 2016

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**(ANITA CHAUDHRY)
JUDGE**