

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-A No.1804-MA of 2017 (O&M)

Date of Decision: 17.11.2017

State of Haryana

. . . Applicant

Versus

Karambir and others

. . . Respondents

**CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI
HON'BLE MR. JUSTICE AVNEESH JHINGAN**

Present: Mr. Surender Singh Pannu, DAG, Haryana.

M.M.S. Bedi, J. (Oral)

CRM-25254-2017

There is delay of 51 days in filing the appeal.

Delay of 51 days in filing of appeal is condoned as we find sufficient reasons for filing the appeal after the period of limitation as explained in application filed under Section 5 of the Limitation Act.

CRM-A No.1804-MA of 2017

State of Haryana has sought leave to file appeal against the respondents who have been acquitted by the Additional Sessions Judge, Rohtak.

The machinery of prosecution was set into motion on the basis of statement of Sunil Kumar, complainant that his father was found dead on the bench lying in the room in fields.

CRM-A No.1804-MA of 2017 (O&M)

The trial Court on appreciation of evidence has acquitted the respondents on account of patent contradictions in the testimony of complainant himself as he had originally informed the police that his father died on account of electrocution, but after a lapse of more than two months he made statement Ex.PC of not finding licensed revolver of his father in his room. Best evidence available with the complainant i.e. photographs of the deceased taken at the first instance, were never brought on record. The story of electrocution has also been found to be false.

After considering the contentions of the State counsel and on re-appreciation of the evidence, we are of the considered opinion that the respondents are not responsible for the murder of the father of the complainant.

In view of above circumstances, we do not find any ground to interfere in the order of acquittal of respondents.

The leave to appeal is thus declined

The application is dismissed.

[M.M.S. BEDI]
JUDGE

[AVNEESH JHINGAN]
JUDGE

November 17, 2017
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Whether Speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No