

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-A No. 1487 MA of 2018 (O&M)

Date of decision: 6.10.2018

Ved Parkash and another

.. Applicant

VS

State of Haryana and others

.. Respondent

**Coram: Hon'ble Mr. Justice Rajesh Bindal
Hon'ble Mr. Justice Amit Rawal**

Present: Mr. Satnam Singh, Advocate for
Mr. Abhimanyu Singh, Advocate, for the applicants.

Rajesh Bindal, J.

The present application for grant of leave to appeal has been filed by son of the deceased. The same is accompanied by application seeking condonation of delay of 3,857 days' in filing thereof.

The main ground mentioned in the application is that the applicants were minor, when the trial took place and were not knowing about the pendency of the proceedings. They were also not in the knowledge of the fact that their grandfather had entered into compromise with the accused persons. First of all, it is surprising that this contention is being raised in a murder case. Further the plea that the applicants were minor when the trial took place may be correct but as per memo of parties, it is evident that applicant no. 1 is 26 years of age, whereas applicant no.2 is

46 years of age. They are son and widow of the deceased. Even if applicants were minor when the trial took place, which resulted in acquittal of the accused vide judgment dated 1.11.2007, applicant no.1 became major immediately thereafter, but thought to keep quiet for a long time. Even the widow of the deceased did not raise any issue. In fact, all the prosecution witnesses were declared hostile during trial.

Keeping in view the aforesaid facts we do not find any case is made out for condonation of huge delay of 3,857 days' delay in filing application for leave to appeal. Hence, the applications are dismissed.

(Rajesh Bindal)
Judge

6.10.2018
vs

(Amit Rawal)
Judge

Whether speaking/ reasoned

Yes/No

Whether Reportable

Yes/No