

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

CRM A-2129-MA of 2018

Date of Decision : December 03, 2018

Pala Ram

.....Applicant

VERSUS

State of Haryana and another

.....Respondents

**CORAM: HON'BLE MR. JUSTICE T.P.S. MANN
HON'BLE MR. JUSTICE ARUN KUMAR TYAGI**

Present : Mr. R.S.Budhwar, Advocate
for the applicant.

T.P.S. MANN, J.

The applicant, who is grand-father of Prince, aged about 3½ years, since deceased, has filed the present application under Section 378(4) Cr.P.C. for grant of leave to appeal against the judgment dated 30.1.2018 passed by learned Sessions Judge, Yamuna Nagar at Jagadhri to the extent of acquitting respondent No.2-Kirna Devi of the charge under Sections 202 and 212 IPC.

Having heard learned counsel for the applicant and on going through the impugned judgment, this Court finds that apart from the disclosure statement, said to have been suffered by Kirna Devi, there is nothing on the record which could indicate that she knew or had the reason to believe that Rohit and Pooja-

accused had murdered Prince. As such, the question of her having intentionally omitted to give information to police or having harboured/concealed the accused with intent to screen them from punishment does not arise. Her disclosure statement also did not lead to discovery of any fact which was earlier not known. She was said to have pointed out iron box in which the dead body of Prince was concealed by Rohit and Pooja-accused. However, Rohit and Pooja-accused had already informed the police about the iron box, much before the arrest of Kirna Devi-accused and the dead-body of Prince already fished out by Rohit-accused. As such, it cannot be said that this fact was discovered pursuant to the disclosure statement of Kirna Devi.

In view of the above, no case is made out for any interference in the impugned judgment to the extent of acquitting respondent No.2-Kirna Devi of the charge under Sections 202 and 212 IPC.

The application is without any merit and, therefore, dismissed. Leave to appeal is declined.

(T.P.S. MANN)
JUDGE

December 03, 2018
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(ARUN KUMAR TYAGI)
JUDGE

Whether speaking/reasoned.
Whether Reportable.

: Yes/No
: Yes/No