

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

208

CRM-6575-2018 in/and
CRM-A-423-MA-2018 (O&M)

Date of Decision:01.06.2018

State of Haryana

.....Appellant

Versus

Shokin

.....Respondent

CORAM: HON'BLE MR.JUSTICE M.M.S. BEDI.
HON'BLE MR.JUSTICE HARI PAL VERMA.

Present: Mr. S.S. Pannu, Deputy Advocate General, Haryana,
for the appellant.

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

CRM-6575-2018

There is a delay of 76 days in filing the appeal.

For the reasons mentioned in the application, in the interest of justice, the misc. application is allowed. Delay of 76 days in filing of the appeal is condoned.

CRM-A-423-MA-2018

Heard.

State has preferred this appeal against the acquittal of respondent-Shokin in a case of respondent having escaped on 12.03.2016 leaving Bolero Pick up, from which one cow, two calves and two Ox were recovered. The respondent was not arrested from the spot and was involved in the present case on the basis of disclosure statement made by him in another FIR No.126 of 2016, registered at Police Station Chilkana, District

Saharanpur (U.P.).

Perusal of the judgment passed by the trial Court indicates that the trial Court has granted benefit of doubt to the respondent considering the fact that there is no evidence against the accused except his disclosure statement Ex.PX in another FIR, which was made part of the record as Ex.P-11. The said confessional statement has been held to be inadmissible. The trial Court has also given the benefit of doubt regarding the identity of the offenders. On careful perusal of the judgment, we are of the opinion that on appreciation of evidence, it will not be feasible for this Court to interfere with the well reasoned judgment of acquittal.

No ground is made out for granting leave to appeal and the application is accordingly dismissed.

(M.M.S. BEDI)
JUDGE

June 01, 2018
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No