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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CRL.L.P. 516/2018

STATE

..... Petitioner

Through: Ms.Kusum Dhalla, APP for State

versus

PANKAJ SHARMA

..... Respondent

Through:

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

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08.08.2018

CRL.M.A.29530/2018 (Exemption)

Exemption is allowed subject to all just exceptions.

Application stands disposed of.

CRL.L.P. 516/2018

The State has preferred the present petition to seek leave to appeal against the judgment dated 26th April 2018 passed in Sessions Case No.58726/2016 arising out of FIR No.548/2015 under Sections 498-A/304-B IPC registered at Police Station Bhalswa Dairy by the learned Special Judge (NDPS), North District, Rohini Courts, Delhi.

The learned ASJ has acquitted the respondent-accused of the aforesaid sections.

A perusal of the impugned judgment shows that the complainant is

the brother of the deceased namely PW-7 Santosh Sharma. Though he initially claimed that there was a demand for Rs.50,000/- and a motorbike by the accused, he did not support the case of the prosecution before the Court. PW-6 Sh.Joginder who is the uncle of the deceased also did not support his initial statement when he was examined before the Court. The prosecution also examined Sh.Ram Prakash as PW-8 who was the landlord of the premises where the deceased had hanged herself. He too turned hostile and did not support the case of the prosecution. Apart from the fact that the said three material witnesses turned hostile there was no other independent evidence adduced by the prosecution to bring home the charge against the accused.

In these circumstances we find no merit in this petition and the same is dismissed.

VIPIN SANGHI, J

I.S.MEHTA, J

AUGUST 08, 2018

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