

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

110

**CRM-A-1550-MA-2015
Date of Decision : 25.3.2019**

State of Haryana

....Appellant

vs.

Ashok Kumar

....Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. Surender Singh, AAG, Haryana
for the appellant.

Dr. Anmol Rattan Sidhu, Senior Advocate with
Mr. Harsimran Aulakh, Advocate
for the respondent.

AJAY TEWARI, J. (Oral)

This is an application for grant of leave against the judgment of acquittal dated 20.1.2015.

The allegations against the respondent was that being a Registry Clerk he had demanded Rs.7000/- as a bribe for facilitating the registration of the sale deed of the complainant. Since the complainant does not want to give bribe he informed the Vigilance department. Necessary preparation was made and raid was conducted on 2.6.2014. Ultimately, the respondent was arrested but having been acquitted, the State has filed the appeal.

Learned Assistant Advocate General has argued that though the complainant and the independent witness have turned hostile yet the shadow witness has supported the case of the prosecution.

Learned Senior counsel appearing on behalf of the respondent has argued that as a matter of fact the sale deed had already been registered on 30.5.2014 and even the shadow witness had stated that he had not heard the conversation between the complainant and the respondent. Moreover, the complainant and the independent witness have turned hostile.

In these circumstances, no fault can be found with the judgment of the Trial Court wherein it has been held that the prosecution case is not free from reasonable doubts. I am not persuaded that the prosecution was able to prove his case beyond reasonable doubts.

Application stands declined.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

25.3.2019
anuradha

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No