

CR No. 4558 of 2019

Date of Decision: 23.7.2019

Ashwani Kumar and others

.....Petitioners

Versus

Jaidev

.....Respondent

CORAM: HON'BLE MS. JUSTICE NIRMALJIT KAUR

Present: Mr. Raman Chawla, Advocate, for the petitioners.

NIRMALJIT KAUR, J. (ORAL)

The present revision petition has been filed against the order dated 6.7.2019 passed by the Civil Judge (Jr. Divn.), Hisar, vide which, the application of the petitioner for comparison of the disputed thumb impression as well as age of the ink of the said thumb impression was rejected.

Reliance was placed on the judgment of this Court rendered in CR No.3434 of 2013 titled as Chamkaur Singh vs. Mithu Singh dated 29.10.2013.

There is no doubt with the legal position as laid down in Chamkaur Singh's case (supra). However, each case depends on its own facts. In the present case, the signature was duly got examined from the expert, but the expert returned the finding that the said admitted signature is not fit for comparison. Admittedly, there is no dispute with respect to the qualification or the expertise of the expert, who has returned the said finding. Hence, no cause or ground is made out to send the same for the second opinion to the Forensic Science Laboratory, Madhuban.

In view of the same, no interference in the impugned order is called for.

Dismissed accordingly.

(NIRMALJIT KAUR)
JUDGE

23.7.2019
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Whether Speaking/Reasoned : Yes/No
Whether Reportable : Yes/No