

**CRM-5756-2021 in/and
CRM-M-36566-2018 (O & M)**

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

**CRM-5756-2021 in/and
CRM-M-36566-2018 (O & M)
Date of decision: 25.02.2021**

Krishan Sharma

...Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Shekhar Verma, Advocate,
for the applicant-petitioner.

Mr. Apoorv Garg, DAG, Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

CRM-5754-2021

This is an application under Section 482 Cr.P.C., seeking permission to place on record the documents as Annexures P-9 and P-10 and seeking exemption from filing the certified copies of the same.

Notice in the application.

On the asking of this Court, Mr. Apoorv Garg, DAG, Haryana, accepts notice on behalf of the respondent-State, and submits that he has no objection, if the present application is allowed.

In view of the above, the present application is allowed.
Annexures P-9 and P-10 are taken on record, subject to all just exceptions.

CRM-5756-2021

This is an application under Section 482 Cr.P.C. for early

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hearing of the main petition i.e. CRM-M-36566-2018, which is fixed for hearing on 17.03.2021.

Notice in the application.

On the asking of this Court, Mr. Apoorv Garg, DAG, Haryana, accepts notice on behalf of the respondent-State, and submits that he has no objection, if the present application is allowed.

In view of the above, the present application is allowed and hearing in the main petition is preponed to that for today.

CRM-M-36566-2018

Through this petition, the petitioner seeks quashing of FIR No.54 dated 05.02.2018, registered at Police Station Indri, District Karnal, under Sections 306 and 34 IPC.

Learned counsel for the petitioner contends that one Prem Kumar committed suicide on 05.02.2018 following which the impugned FIR had been got registered by his wife-Mamta Rani. The petitioner is neither any relative of the deceased nor had any connection with him.

Notice of motion was issued on 21.09.2018. Thereafter, the matter was adjourned from time to time for awaiting the FSL report.

Today, learned counsel for the petitioner draws the attention of this Court towards the opinions given in the FSL report, which would read as under:

“Opinion -1: *Comparison of questioned signature reading as 'Prem Kumar' Marked Q1 (bearing date 05.02.2018) with questioned writings reading as 'Prem Kumar' in the second line and reading as 'Prem Kumar'*

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in the first line of address of questioned writings marked Q2 shows that all these signature and writings do not show any evidence of limitation in their line quality, show natural variations and inter-se consistency in the nature of movement in the execution of characters, nature of their commencing and terminal strokes, writing movement (combined predominant wrist), writing skill (medium), speed (Moderate), slant (approx. 85°), spacing (normal), relative size and proportion of characters leads to the opinion that questioned signature reading as 'Prem Kumar' marked Q 1 and questioned writings reading as 'Prem Kumar', reading as 'Prem Kumar' in the red enclosed part marked Q 2 have been written by one and the same person.

OPINION-2: *Comparison of standard signatures marked A 1 to A10(bearing date 18.01.16) with questioned signature reading as 'Prem Kumar' marked Q1 (bearing dated 05.02.18), questioned writings read as 'Prem Kumar' in the second line and reading as 'Prem Kumar' in the first line of address of questioned writings marked Q2 bearing date 05.02.18) shows that standard signatures marked A1 to A10 have been executed with relatively more speed in the form of signatures with ascending alignment whereas questioned have been executed in the form of writings with relatively slow speed according to rules lines. In addition to this, manner of execution of vowel sign of 'IKAR' (), characters 'd', 'e' and 'j' as observed in questioned are different from standard signatures. Technically, it has not been possible to express any opinion on questioned signature reading as 'Prem Kumar' marked Q 1 and questioned writings reading as 'Prem Kumar' reading as 'Prem Kumar' in the read enclosed part marked Q2 in*

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comparison with standard signatures marked A1 to A10.

OPINION-3: *It has not been possible to express any opinion on questioned writings marked Q2 in the absence of contemporary period extended standard Hindi & English writings of the person concerned, as asked for.”*

At this stage, learned counsel for the petitioner submits that he would be satisfied, if the present petition is disposed of with a direction to the trial Court to take into consideration opinion Nos.2 and 3 of the FSL report at the time of framing of the charge.

Learned State counsel has no objection to the aforesaid limited prayer made by the learned counsel for the petitioner during the course of hearing.

In view of the above, the present petition is disposed of with a direction to the trial Court to take into consideration the opinion Nos.2 and 3 of the FSL report at the time of framing of the charge(s).

25.02.2021
parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No