

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

Date of decision : 25.07.2023

CRM-M-35055-2021

HITOSHI KONO

....Petitioner

Versus

STATE OF HARYANA AND ANOTHER

...Respondents

CRM-M-35059-2021

SHANKAR SRINIVAS AND OTHERS

....Petitioners

Versus

STATE OF HARYANA AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. Adarsh Dubey, Advocate for
Mr. Vaibhav Sharma, Advocate
for the petitioner(s).

Mr. R.K. Ambavta, AAG, Haryana with
ASI Innamuddin.

Mr. Shiv Kumar, Advocate for respondent No.2.

PANKAJ JAIN, J. (ORAL)

Ld. State Counsel submits that both the petitioners have been
declared to be innocent and have not been challaned.

The said fact has also been spelled out in Para No.7 of the
status report dated 6th of December, 2021 filed by way of affidavit of
Mukesh Malhotra, HPS, Deputy Commissioner of Police, Central,
Faridabad, which reads as under :

“7. That it is submitted that on 13.01.2021, facts of the present case
were verified by the then Assistant Commissioner of Police, Sarai,

Faridabad. During verification of facts, complainant could not produce any incriminating evidence with regard to involvement of remaining accused persons named in FIR i.e. Jaipal Chaudhary, Girish Kakkar, Shankar Srinivas, Shivir Kumar Shukla, Brijesh Sharma, Takeshi Hirano and Hitoshi Kono (present petitioner) hence their names were declared innocent. It is further submitted that accused Neeraj Yadav, Dharmender and Jinender Kumar Jain were found involved in the commission of crime who prepared forged documents in order to save the penalty for late registration.”

Mr. Shiv Kumar however submits that right of the complainant-respondent No.2/prosecution to move an appropriate application for summoning the petitioners as additional accused be left open.

Allowed as prayed for.

The present petitions are disposed off as having been rendered infructuous.

A copy of this order be kept on the file of other connected case.

July 25, 2023
Dpr

(Pankaj Jain)
Judge

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No