



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR-1480-2024 (O&M)
Date of decision : 30.08.2024

SurenderPetitioner

versus

State of HaryanaRespondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Parminder Singh-I, Advocate
for the petitioner.

Mr. Tanuj Sharma, A.A.G., Haryana.

RAJESH BHARDWAJ, J. (Oral)

Petitioner has approached this Court impugning the order dated 14.05.2024, passed by learned Additional Sessions Judge, Jind, whereby application dated 15.01.2024 moved by the petitioner for directing the I.O./SHO, Police Station City Jind, to take original record of signatures of petitioner from State Bank of India, Main Branch, Jind, NSDL for PAN Card No.FYSPS8374E, Government ITI Narwana, and office of District Commandant Home Guard, Haryana at Jind and send it to FSL for comparison with the alleged signatures of the petitioner on documents (Ex.P1) notice under Section 50 of NDPS Act, Ex.P2 Reply, Ex.P3 and Ex. P4 disclosure statement and Ex.P9 lists of medicines placed on the file and to submit the examination report of FSL in the Hon'ble Court or give permission to the petitioner to get it compared through hand writing or fingerprint expert, has been dismissed.

Learned counsel for the petitioner has fairly submitted that the second part of his application pertaining to grant permission to the petitioner for comparing signatures through Hand writing expert, has



been illegally declined by the Learned Special Court, vide impugned application dated 15.01.2024. He submits that petitioner is not pressing his application with regard to issuance of direction to the SHO/I.O. for comparison of his signatures by the FSL. He has submitted that the petitioner will examine the witnesses in his defence when the petitioner gets turn for his defence evidence. He further prays that the petitioner be granted permission to get his signatures compared on consent memos etc. allegedly signed by the petitioner. He submits that as these documents have been filed by the prosecution along with the challan and are presented before the Court, he should be allowed to file an appropriate application for comparing of his admitted signatures with those alleged on the said documents.

Learned State counsel has pleaded no objection regarding the same.

In view of the above, the present petition is allowed and the order dated 14.05.2024 is set aside. The petitioner would be at liberty to file an appropriate application before the trial Court for summoning and examining of witnesses in his defence and the trial Court will pass a fresh order thereon as per law.

(RAJESH BHARDWAJ)
JUDGE

30.08.2024

ps-I

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