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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CRL.REV.P. 635/2015 & CRL.M.A. 14726/2015**

STATE

.....Petitioner

Through: Mr. Pradeep Gahalot, APP for the
State with SI Amit Kumar, PS Crime
Branch.

versus

KHARAK SINGH @ MANOJ

.....Respondent

Through: Mr. Manish Kumar, Adv. for Mr.
Saurabh Kansal, Adv.

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

17.09.2024

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1. The revision petition has been filed by the State against impugned order dated 22nd April, 2015 passed by the ASJ, North-East District, Karkardooma Courts acquitting the respondent in FIR No.123/2011 PS Crime Branch, South for offence under Section 25(1-A) of the Arms Act.
2. The Court has perused the impugned order which has analysed the evidence in detail and held that there were various contradictions in the testimonies of the police personnel regarding the allegation that the accused was to supply huge quantities of arms and ammunition to someone.
3. It is held that based on the testimonies, the secret information received was false and the Trial Court had suspicion on the credibility of the information. There were various inconsistencies and lapses which had been noted by the Trial Court and, therefore, the respondent was acquitted.



4. The Court finds the impugned order well-reasoned, detailed and logical and does not find any infirmity and illegality in the said order.
5. The APP for the State has pointed out to para 86, 87 and 88 of the said impugned order, where certain directions have been passed relating to the police personnel in these facts and circumstances of the case.
6. Having perused the impugned order, the Court does not find any reason for these directions to subsist. Considering that prosecution case is to be proved beyond reasonable doubt, based on inconsistencies in the evidence before the Trial Court, a reasonable doubt was held to exist in favour of the accused. It cannot take away from the possibility of the case asserted by the prosecution being legitimate. No purpose would be served for these directions to subsist at this stage. The matter is pending since 2015.
7. Accordingly, the petition is disposed of with the aforesaid directions.
8. Pending applications, if any, are also rendered infructuous.
9. Order be uploaded on the website of this Court.

ANISH DAYAL, J

SEPTEMBER 17, 2024/MK