



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

240

CRR-2564-2014(O&M)
Date of Decision: 11.11.2025

Rakesh Kumar Sharma**.....Petitioner****Vs.****State of Punjab****.....Respondents****CORAM: HON'BLE MR. JUSTICE H.S. GREWAL**

Present: Mr. G. S. Punia, Sr. Advocate, with
Mr. P. S. Punia, Advocate, for the petitioner.

Mr. Rishabh Singla, AAG, Punjab.

H.S. GREWAL, J. (ORAL)

1. The present revision petition has been filed against the order dated 30.07.2014 passed by the learned Additional Sessions Judge, Ludhiana, whereby the judgment and order dated 10.12.2012 passed by the learned Judicial Magistrate 1st Class, Ludhiana, convicting the petitioner under Sections 420 and 471 of the IPC and sentencing him to undergo rigorous imprisonment for a period of two years and to pay a fine of ₹1,000/-, and in default of payment of fine, to further undergo simple imprisonment for one month, has been upheld.

2. The case of the prosecution is that the present petitioner was preparing forged licences and registration certificates by forging signatures of officials and officers. He was found in possession of licence and copies of registration certificates and stamps etc. During trial, ASI Avtar Singh has appeared as PW-1 and Bhushan Singla, Junior Assistant, has appeared as



PW-2 in order to show that the petitioner was found in possession of two registration certificates and 3 driving licences.

3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and there is no evidence on record to establish that he was involved in preparing any forged documents. He further submits that the prosecution has examined only the Investigating Officer of the case and has not led any other substantive evidence except the statement of PW-2, who merely proved that Registration Certificate No. PB-26-3234 was issued in the name of Suba Singh, son of Balbir Singh, resident of Village Libra. It is further submitted that the prosecution has failed to examine any witness pertaining to the alleged raid, arrest, search, or recoveries.

4. I have heard learned counsel for the parties and have gone through the records with their able assistance.

5. A perusal of the record reveals that there is no evidence available on record to connect the recovered Registration Certificates with any real individuals or genuine vehicles, or even to establish that the same pertained to any forged vehicles. These Registration Certificates have not been shown to have been used for any purpose. Moreover, except for the testimony of the Investigating Officer, there is no other witness to support the alleged recovery from the present petitioner. Therefore, in the absence of any link evidence, the petitioner cannot be held guilty of the alleged offences. Furthermore, no independent or even official witness has been examined to substantiate the case of the prosecution.



6. In view of the aforesaid discussion, the judgment of the learned Appellate Court dated 30.07.2014 upholding the judgment of conviction and order of sentence dated 10.12.2012 passed by the learned Judicial Magistrate 1st Class, Ludhiana, is hereby set aside. Consequently, the petitioner is acquitted of all the charges framed against him.

11.11.2025
anil

(H.S. GREWAL)
JUDGE

Whether speaking/ reasoned:
Whether Reportable:

Yes/No
Yes/No