

2026:PHHC:015807



CRM-M-55670-2025 (O & M)

::1::

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
(264)

CRM-M-55670-2025 (O & M)

Date of Decision: 03.02.2026

(Through V.C.)

Ravinder

..... Petitioner

V/s

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Aditya Sanghi, Advocate, for the petitioner.

Mr. Vipul Sherwal, AAG, Haryana.

JASJIT SINGH BEDI, J. (Oral)

The prayer in the present petition under Section 528 of BNSS is for setting aside the order dated 25.08.2025 (Annexure P-1) passed by the Additional Sessions Judge, Rohtak in FIR No.538 dated 27.11.2020 under Sections 302, 394, 397, 34 IPC and 25 of the Arms Act registered at Police Station Old Sabji Mandi Rohtak (Annexure P-2) (charges were framed under Sections 302, 394, 397 and 34 IPC) whereby the application filed by the petitioner for comparison of hand writing in two different recovery sketches of knives i.e. PW-7/5 & PW-13/6 from a hand writing expert has been dismissed.

2. The learned counsel for the petitioner contends that while appearing in the witness box PW-22/SI Sushil Kumar stated that he had

prepared a rough sketch Ex. PW-7/5 being the investigating officer of the

2026:PHHC:015807



CRM-M-55670-2025 (O & M)

::2::

case whereas PW-18/ASI Ravinder stated that he had prepared rough sketch Ex.PW13/6 of the knife also being the investigating officer of the case. Both the sketches Ex.PW-7/5 and PW-13/6 appear to be in the same hand writing and prepared by the same person. Therefore, the hand writing of both the sketches may be compared from a hand writing expert in the interest of justice so as to demolish the prosecution case.

3. The learned counsel for the State, on the other hand, contends that PW-18/ASI Ravinder was the investigating officer of this case. He alongwith ASI Nafe Singh and HC Manoj were the attesting witnesses for the recovery of the knives from accused persons. PW-18/ASI Ravinder has stated that he has prepared the rough sketch Ex.PW-13/6. Similarly, PW-22/SI Sushil Kumar deposed that on 14.12.2020, he was the investigating officer and the attesting witnesses were the same i.e. ASI Nafe Singh and HC Manoj Kumar and the sketch of the recovered weapon from accused-Rahul was prepared by him. Both the hand writings as well as pen used are different. The sketches of the knife are also different. The opinion of a hand writing expert is not binding as examination of hand writing and an opinion thereon is not based on perfect science. The application has been filed to delay the conclusion of the Trial. Therefore, no fault can be found with the impugned order dated 25.08.2025 (Annexure P-1) and the present petition is liable to be dismissed.

4. I have heard the learned counsel for the parties.

2026:PHHC:015807



CRM-M-55670-2025 (O & M)

::3::

5. As per the arguments raised by the petitioner, both the memos were in the same hand writing and have been prepared by one person. However, as per the testimony of PW-18/ASI Ravinder and PW-22/SI Sushil Kumar, sketches Ex.PW-7/5 and Ex.Pw-13/6 have been prepared by them on different dates. They were incharge of the case at different times. A perusal of the two memos would *prima facie* show that they have been written by different persons, though, there may be some similarity in the hand writing. As per the judgment of the Hon’ble Supreme Court in ‘*Ishwari Prasad Misra versus Mohammad Isa, 1963 AIR Supreme Court 1728*’, the opinion of a hand writing expert is not binding. Be that as it may, the controversy pertains to whether the accused have committed the offence of murder etc. or not for which other substantial evidence is required to be examined. The examination of the hand writing on the two memos (Ex. PW-7/5 and PW-13/6) is not required in the peculiar facts and circumstances of this case.

6. In view of the above, I find no merit in the present petition. Therefore, the same stands dismissed.

7. The pending application(s), if any, shall stand disposed of accordingly.

February 03, 2026
sukhpreet

(JASJIT SINGH BEDI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No