

PETITIONER:
HARJIT SINGH AND ANR.

Vs.

RESPONDENT:
STATE OF HARYANA

DATE OF JUDGMENT: 21/07/1998

BENCH:
G.T. NANAVALI, S.P. KURDUKAR

ACT:

HEADNOTE:

JUDGMENT:

J U D G M E N T

Nanavati, J.

The appellants are challenging their conviction under section 457, 392, 397, 307 and 332 all read with Section 34 IPC and also under Section 5 of the TADA and Section 27 of the Arms Act.

Learned counsel for the appellants has taken us through the evidence of ASI - karam Singh - PW 3 and Head Constable - Tarvinder Singh - PW 5, who were the eye-witnesses and that of P.C. Goel, who was working as an assistant in the Alembic medical Store, situated near sirhand Club, Ambala cantt. The evidence of P.C. Goel PW 4 clearly establishes that a theft of medicines worth Rs. 1,12,000 took place in the Alembic Medical Store. The evidence of the two eye-witnesses clearly establishes that on seeing PW 3 - Karam Singh approaching towards them the accused started their car and tried to knock down PW 3 - karam Singh, who was approaching them on scooter. The evidence also establishes that the person sitting in the car started firing at them and therefore ASI - Karam Singh was required to fire three shots from his revolver.

The Designated Court has considered their evidence and given good reasons to accept it. We see no reason to differ from the view taken by the Designated Court. Once their evidence is believed, all the offences alleged against them stand established.

The appeal is dismissed accordingly.