

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.1800 OF 2010
(Arising out of SLP(Cr1.)No.9043/2009)

SAROJ PANDEY

... APPELLANT(S)

VERSUS

STATE OF NCT OF DELHI & ANR.

... RESPONDENT(S)

O R D E R

Heard learned counsel for the parties.

Leave granted.

This appeal is directed against the judgment and final order dated 13.10.2009 passed by the High Court of Delhi at New Delhi in Writ Petition (Cr1.)No.1337 of 2009. The short controversy which arises in this appeal is regarding examination of a suicide note. In the order dated 4th February, 2010, the High Court has observed as under :

"In this view of the matter, the Investigating Officer shall obtain the Hindi handwriting of the deceased from the C.B.S.E. Board, if possible, and send the admitted Hindi handwriting of the deceased and the suicide notes for comparison to the FSL Laboratory as expeditiously as possible."

Admittedly, part of the suicide note is written in English and part of it is written in Hindi. Ms.Indira Jaisingh, learned Additional Solicitor General submits that it is not possible to compare Hindi handwriting because Hindi records are not available. In this view of the matter, when her Hindi handwriting cannot be compare, it becomes imperative that whatever has been written in the suicide note in English has to be examined by a handwriting expert

to ascertain whether suicide note was in the handwriting of the deceased.

The handwriting expert, in his opinion, has mentioned in his note that "the register marked A-4 containing the admitted English writings of deceased Pinki have not been considered in the examination." In order to do complete justice, we deem it appropriate that the suicide note of the deceased be sent to another handwriting expert and he must give a complete report of the words which have been mentioned in both Hindi and English. The handwriting expert would be selected by the concerned trial Court. The handwriting expert must send the report to the trial court as expeditiously as possible, in any event, within four weeks from the date of communication of the order of the trial Court.

With these observations, the impugned order is modified and the appeal is, accordingly, disposed of.

.....J.
(DALVEER BHANDARI)

.....J.
(DEEPAK VERMA)

NEW DELHI;
17TH SEPTEMBER, 2010