

Ram Pyaralal Shrivastava

Vs

State of Bihar

Criminal Appeal No. 324 of 1976

(Syed M. Fazal Ali, A. D. Koshal JJ)

16.02.1979

JUDGMENT

FAZAL ALI, J. –

In this appeal by special leave the appellant has been convicted under Section 5(2) of the Prevention of Corruption Act and a fine of Rs. 150, in default to undergo RI for two months and has also been convicted under Section 477-A of the Indian Penal Code and sentenced to RI for one year. We have heard learned Counsel for the parties. Mr. Shiv Pujan Singh appearing for the appellant has vehemently argued that there was no legal evidence to prove that the handwriting on Exs. 4/1, 4/3 and 4/5 the disputed blank paper ticket and the signatures which have been proved to be those of the appellant are of the appellant and thus if this is established, the appellant is entitled to an acquittal. It appears, however, that the writing of the appellant has been proved on these documents not only by the experts but also by some other witnesses who were fully acquainted with the writing of the appellant. We have ourselves examined the signatures of the appellant on Exs. 4/1, 4/3 and 4/5 with the admitted signatures on Exs. 3, 3/1 and 3/2 and we find that there is large measure of similarity and clear resemblance in almost all the characteristics in the two writings. In this view of the matter we are not in a position to accept the submission of the appellant. The appeal is accordingly dismissed.

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