

ITEM NO.24

Court 6 (Video Conferencing)

SECTION II-B

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

SPECIAL LEAVE PETITION (CRIMINAL) Diary No.10354/2020

(Arising out of impugned final judgment and order dated 20-12-2019 in CRAS No.1485/2015 20-12-2019 in CRAS No.1741/2015 20-12-2019 in CRAS No.1940/2015 20-12-2019 in CRAS No.1599/2016 passed by the High Court of Punjab & Haryana at Chandigarh)

NASIB SINGH

Petitioner(s)

VERSUS

THE STATE OF PUNJAB & ANR.

Respondent(s)

(With appln.(s) for IA No.102329/2020-EXEMPTION FROM FILING O.T. and IA No.102328/2020-PERMISSION TO FILE PETITION SLP)

WITH Diary No.10356/2020 (II-B)

(With appln.(s) for I.R. and IA No.103987/2020-EXEMPTION FROM FILING O.T. and IA No.103985/2020-PERMISSION TO FILE PETITION SLP)

Date : 17-12-2020 These petitions were called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD
HON'BLE MS. JUSTICE INDU MALHOTRA
HON'BLE MS. JUSTICE INDIRA BANERJEE

For Petitioner(s) Mr. Vipin Gogia, Adv.
Ms. Christi Jain, AOR

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

1 Permission to file the Special Leave Petitions is granted.

- 2 Mr Vipin Gogia, learned counsel appearing on behalf of the petitioner has adverted to the findings contained in paragraphs 24 to 28 of the judgment of the Sessions Court. Learned counsel has submitted that the petitioner was acquitted by the Sessions Court on the basis that the suicide note contained no reference to the petitioner and hence, the charge under Section 306 read with Section 34 of the Indian Penal Code would fail. Moreover, it has been submitted that the petitioner has not been specifically named by PWs 2, 12, 17 and 21. Hence, it is urged that there was no justification for the High Court to direct a retrial insofar as the petitioner is concerned.
- 2 Issue notice, returnable in four weeks.
- 3 Liberty to serve the Standing Counsel for the State of Punjab, in addition.

(CHETAN KUMAR)
A.R. - cum - P.S.

(SAROJ KUMARI GAUR)
Court Master