

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

RECORD OF PROCEEDINGS

CRIMINAL APPEAL NO. 845 OF 2003

STATE OF PUNJAB

Appellant (s)

VERSUS

HARDEEP SINGH

Respondent(s)

(With office report)

Date: 12/04/2006 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.N. AGRAWAL

HON'BLE MR. JUSTICE MARKANDEY KATJU

For Appellant(s)

Mr. P.N. Mishra, Sr. Adv.

Mr. Sanjay Jain, Adv.

Mr. K.S. Nalwa, Adv.

Mr. Mukesh Kumar, Adv.

Mr. Arun K. Sinha, Adv.

For Respondent(s)

UPON hearing counsel the Court made the following

O R D E R

Heard learned counsel for the appellant.

The appeal is allowed.

[Alka Dudeja]

Court Master

[Khushi Ram]

Court Master

[Signed order is placed on the file]

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 845 OF 2003

State of Punjab

...Appellant(s)

Versus

Hardeep Singh

...Respondent(s)

O R D E R

Heard learned counsel appearing on behalf of the
appellant.

In spite of service of notice, the respondent has failed to
appear in this appeal to contest the prayer made therein. It has
been submitted that this appeal is fit to be allowed on the sole
ground that the impugned order was passed without giving
opportunity of hearing to the State of Punjab. From the
impugned order also it does not appear that the State counsel

was heard. This being the position, we are of the view that the State is entitled to be given an opportunity of hearing.

Accordingly, the appeal is allowed, impugned order is set aside and the matter is remitted to be High Court to dispose of the matter afresh in accordance with law after giving opportunity of hearing to the State of Punjab.

.....J.

[B.N. AGRAWAL]

.....J.

[MARKANDEY KATJU]

New Delhi,

April 12, 2006.