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Crl.A.No. 134 OF 2001
.UP 10 2; Draft, smtst; -n -PA4 -dFX-NORMAL -y -e; dumbp
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ITEM No.103 Court No.1 SECTION II

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.134 OF 2001@@
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Lakha @ Lakhvinder Singh Appellant (s)

VERSUS

State of Rajasthan Respondent (s)

Date : 20/09/2001 This petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE R.C. LAHOTI
HON'BLE MR. JUSTICE ASHOK BHAN

For Appellant (s) Mr. Khwairakpam Nobin Singh, adv. (AC)

For Respondent (s) Mr. Ranji Thomas, adv.
Mr. Javed Mahmud Rao, adv.

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

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.SP2
The appeal is dismissed in terms of the signed
order.
.SP1

(Neena Verma)
Court Master

(Prem Prakash)
Court Master

Signed order is placed on the file.

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.PL52

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.134 OF 2001@@
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Lakha @ Lakhvinder Singh

.... Appellant

Versus

State of Rajasthan

.... Respondent

O R D E R@@
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.....L.....I.....T.....T.....T.....T.....T.....T.....J
.SP2

Appellant, along with Major Singh, Jagraj Singh and Bhagwan Singh were sent up for trial for offences under Sections 3, 4 and 5 of the Terrorist and Disruptive Activities (Prevention) Act (hereinafter referred to as the 'TADA') and Sections 3/25 of the Arms Act. Another co-accused Bhagwan Singh S/o Sada Singh had absconded and was not put up for trial along with others.

The Trial Court found the appellant, Major Singh and Jagraj Singh guilty of offences under Sections 3(3) and 4(1) of TADA Act. They were acquitted of the charges under Section 25 of the Arms Act and as well as Section 5 of TADA Act. Bhagwan Singh S/o Dhula Singh, co-accused was acquitted of the charges punishable under Section 3(3) of ...2/-

: 2 :

the TADA Act as well as for offences under Sections 5 and 25 of the Arms Act. The appellant was sentenced to undergo five years rigorous imprisonment by the Trial Court vide judgment and order dated 11.10.2000.

We have been taken through the record by learned counsel for the parties and find that the evidence led by the prosecution to connect the appellant with the crime has been amply established. As a matter of fact, the case has been proved beyond a reasonable doubt insofar as the appellant is concerned. The trial court has properly appreciated the evidence and made no mistake in so far as application of law to the facts of the case. We are not persuaded to take a view different than the one taken by the trial court.

Learned counsel for the appellant submitted that the appellant has already undergone the sentence which was imposed upon him. Learned counsel for the respondent does not dispute this fact and further asserts that the appellant has since been released from custody. We record this statement.

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After giving the matter our careful consideration, we find that there is no merit in this appeal, which fails and is hereby dismissed.

.SP1

.....CJI.

.....J.
(R.C. LAHOTI)

New Delhi,
September 20, 2001.

.....J.
(ASHOK BHAN)