

ITEM NO.102

COURT NO.8

SECTION IIB

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(S) . 2054/2009

STATE OF HARYANA

APPELLANT(S)

VERSUS

VINOD KUMAR ETC.
(WITH OFFICE REPORT)

RESPONDENT(S)

Date : 10/09/2015 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE RANJAN GOGOI
HON'BLE MR. JUSTICE N.V. RAMANA

For Appellant(s)

Mr. Ujjawal Jain, Adv.
For Mr. Kamal Mohan Gupta, Adv.

For Respondent(s)

Mr. Rishi Malhotra, Adv.
Mr. Prem Malhotra, Adv.

Mr. Vidya Dhar Gaur, Adv.
Mr. Sudhir Aggarwal, Adv.

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

The Court is not receiving any assistance from the State of Haryana in the present case. Such lack of assistance from the State of Haryana has been felt by this Bench in other cases also.

The appeal of the State is against the alteration of the conviction of the accused respondent from Section 364A IPC and sentence of life imprisonment to one under Section 364 IPC and sentence of imprisonment for ten years. The

substantive sentence as on date against the respondent accused Ravinder Kumar is, therefore, ten years under Section 364 of the Indian Penal Code, 1860. It has been brought to our notice that the accused Ravinder Kumar has been in custody for nearly 15 years. It is not known whether such custody is in connection with any other case. In view of the lack of any assistance on behalf of the State of Haryana and absence of requisite clarification, we direct the Secretary (Home), Government of Haryana to be personally present before the Court at 10.30 a.m. on Tuesday next i.e. 15th September, 2015 along with the required information and connected papers. The Officer, in consultation with the concerned Department, will also inform the Court as to what steps the State of Haryana intends to take to effectively assist the Court in the criminal cases that are pending before this Court pertaining to the State of Haryana. A copy of this Court be sent by the Registry to the Secretary (Home), Government of Haryana forthwith.

List the matter on Tuesday i.e. 15th September, 2015.

[VINOD LAKHINA]
COURT MASTER

[ASHA SONI]
COURT MASTER