

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl) No(s).1037/2007

(From the judgment and order dated 13/10/2006 in CRLA No.30469/2006 in Crl.A.No.50-SC of 1991 of The HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

DARSHAN SINGH Petitioner(s)

VERSUS

STATE OF HARYANA Respondent(s)

(With appln. for bail and office report)

Date: 01/10/2007 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE C.K. THAKKER
HON'BLE MR. JUSTICE ALTAMAS KABIR

For Petitioner(s) Mr. Debasis Misra,Adv.

For Respondent(s) Mr. Rajeev Gaur 'Naseem', Adv.
Mr. Rajesh Ranjan, Adv.
Mr.T.V.George,Adv.

UPON hearing counsel the Court made the following
ORDER

Leave granted.

The appeal is allowed in terms of the signed order.

[Usha Bhardwaj]
Court Master

[Vinod Kulvi]
Court Master

Signed order is placed on the file.
IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.....OF 2007
(Arising out of SLP (Criminal) No.1037 of 2007

Darshan Singh Appellant(s)

Versus

State of Haryana Respondent(s)

ORDER

We have heard learned counsel for the parties. Leave granted.

This Court by an order dated April 19, 2006 has permitted the
appellant herein to withdraw the appeal with liberty to approach the

High Court again to file a review petition. Accordingly, the review petition was filed by the appellant. The High Court, however, in the impugned order observed that the High Court has no power to review since the matter is in administration of criminal justice and Section 362 of the Criminal Procedure Code expressly states that the Court cannot alter a judgment.

In view of the above legal position, the appeal deserves to be allowed and is allowed. The earlier criminal appeal stands revived and will be placed for hearing in accordance with law before an appropriate Court. Thus without observing anything on merits the appeal is allowed.

.....J.
[C.K. THAKKER]

.....J.
[ALTAMAS KABIR]

NEW DELHI,
OCTOBER 01, 2007.