

ITEM NO.1

COURT NO.10

SECTION IIA

SUPREME COURT OF INDIA  
RECORD OF PROCEEDINGSCRLMP.NO. 13266/2008 & 13270/2008 in Petition(s) for Special Leave  
to Appeal (Crl)No(s).1081/2005(From the judgement and order dated 03/02/2005 in CRLM No. 34219-M/2004  
(O&M) of The HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

SUNIL DHINGRA

Petitioner(s)

VERSUS

STATE OF PUNJAB

Respondent(s)

( for directions and impleadment and office report)

Date: 05/09/2008 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.V. RAVEENDRAN

HON'BLE MR. JUSTICE J.M. PANCHAL

For Petitioner(s) Mr. T.S. Doabia, Sr.Adv.  
Mr. Jagjit Singh Chhabra,Adv.

for applicant

Mr. Satyapal Khushal Chand Pasi ,Adv

Mr. R.K. Pandey, Adv.

Mr. T.P. Mishra, Adv.

For Respondent(s)

Mr. Kuldip Singh,Adv.

UPON hearing counsel the Court made the following

ORDER

Special Leave Petition (Crl.)No.1081 of 2005 was disposed of by  
this Court by following order dated 04.12.2006 :

' Heard counsel for the parties.

The learned counsel for the petitioner submits that the matter has been compromised. In that view of the matter, we do not need to interfere with the matter. The special leave petition is dismissed. However, the stay granted by this Court shall continue as the parties has compromised.

We have been informed that an amount of Rs.2 lakhs

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have been deposited in the Court of District Judge, Jalandhar. Let an appropriate application be made before the appropriate court for withdrawal of the amount."

The sum of Rs.2 lakhs referred to in the said order is stated to be kept in fixed deposit in the name of Registrar (Judicial), Supreme Court with Vijaya Bank, Jalandhar and FDR receipt is lying with the Judicial Magistrate First Class, Jalandhar.

Under the terms of compromise referred to in the aforesaid order, the said amount in deposit has to be released in favour of Girija, daughter

of Shri Balram Anand, who is the applicant herein.

Smt. Girija, the applicant herein was not a party to the disposed of SLP. The parties to the SLP were Sunil Dhingra husband of the applicant herein and the State of Punjab.

Now, Girija Anand has filed two applications one for impleadment and another for release of the amount. In so far as the application for impleadment is concerned, the same is not maintainable as the SLP has already been disposed of and the question of impleading anyone as a party at this stage does not arise.

In so far as application for direction is concerned, we find that there is a clear direction for the release of the sum of Rs. 2 lakhs in terms of the compromise. The learned counsel for petitioner in SLP confirmed that in terms of the compromise, the amount has to go to the applicant Girija Anand. We therefore direct the Registrar(Judicial) in whose name the deposit is said to have been made, to endorse/transfer the said deposit in favour of Girija Anand to enable her to draw the said amount. If necessary, the Judicial Magistrate First Class, Jalandhar shall pass

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appropriate order to enable the applicant to draw the amount from the Vijaya Bank in terms of the compromise and this Court's order dated 04.12.2006.

CrI.M.Ps. are disposed of accordingly.

(PAWAN KUMAR)  
COURT MASTER

(ANAND SINGH)  
COURT MASTER