

ITEM NO.106

COURT NO.7

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). 447 OF 2005

STATE OF PUNJAB

Appellant (s)

VERSUS

CHARANJIT SINGH

Respondent(s)

(With office report)

Date: 21/07/2011

This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE HARJIT SINGH BEDI
HON'BLE MRS. JUSTICE GYAN SUDHA MISRA

For Appellant(s)

Mr. Jayant K. Sud, AAG.
Mr. Harendra Singh, Adv.
Mr. Satish Pandey, Adv.
Mr. Kuldip Singh, Adv.

For Respondent(s)

Mr. Satyapal Khushal Chand Pasi, Adv.

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

For the reasons recorded in the signed order,
the appeal is dismissed.

[KALYANI GUPTA]
COURT MASTER

[SHARDA KAPOOR]
COURT MASTER

[SIGNED ORDER IS PLACED ON THE FILE.]

Crl.A. No. 447 of 2005

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IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO. 447 OF 2005

STATE OF PUNJAB

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APPELLANT

VERSUS

O R D E R

1. We have heard the learned counsel for the parties.

2. It is clear from the counter affidavit filed by the respondent that he has been acquitted in all the cases including the one in which he was in custody in Tihar Jail and from where he had been removed under production warrant to the State of Punjab and had made disclosure statements before the police leading to the recovery of large quantities of explosives etc. The fact that the respondent had been acquitted in all other cases that have been referred to by the learned counsel for the respondent, has not been denied by the State of Punjab in CrI.A. No. 447 of 2005

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its rejoinder affidavit filed in response to the counter affidavit. The High Court has also held that no valid sanction had been given prior to the trial of the respondent and that as all the witnesses were police witnesses no credence could be attached to their testimony. We are, therefore, not inclined to interfere in this matter. The appeal is dismissed.

.....J
[HARJIT SINGH BEDI]

.....J
[GYAN SUDHA MISRA]

NEW DELHI
JULY 21, 2011.