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SLP(Crl.)No. 5022 OF 2003
ITEM No.46

Court No. 3

SECTION IIA
A/N MATTER

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl.) No. 5022/2003

(From the judgement and order dated 16/12/2002 in CRLA 99/90
of The HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

JARNAIL SINGH AND ORS.

Petitioner (s)

VERSUS

STATE OF PUNJAB

Respondent (s)

(With Appln(s). for bail and Office Report)

Date : 12/07/2004 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE Y.K. SABHARWAL
HON'BLE MR. JUSTICE D.M. DHARMADHIKARI

For Petitioner (s) Mr. RK. Kapoor, Adv.
Mr. BR. Kapoor, adv.
Mr. Mukesh Kumar Verma, Adv.
Mr. Anis Ahmed Khan, Adv.

For Respondent (s) Mr. Bimal Roy Jad, Adv.
Ms. Sunita Pandit, Adv.
Mr. Jatinder Kumar Bhatia, Adv.

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

Leave granted.
The appeal is disposed of.

(S. Thapar)
PS to Registrar

(V.P. Tyagi)
Court Master

The signed order is placed on the file.

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 636 OF 2004
(Arising out of SLP(Crl.)No. 5022/2003)

Jarnail Singh & Ors. Appellant (s)

Versus

State of Punjab Respondent (s)

O R D E R

Leave granted.

By impugned order dated 16th December, 2002, while reducing the sentence awarded to Jarnail Singh, Kewal Singh, Kaur Singh and Manjit Singh for offence under Sections 145 and 325/149 I.P.C. to six months and also reducing sentence for same period as against Manjit Singh for offence under Section 324, the High Court made it subject to Jarnail Singh, Kewal Singh, Kaur Singh and Manjit Singh paying a sum of Rs.10,000/- each as compensation to be shared by Surjit Singh, Bahal Singh, Gurdial Kaur, Mapo and Balbir Singh equally. We do not know whether the said compensation has been paid or not. If not paid, the same shall be paid within a period of six weeks. All these accused except Manjit Singh have already undergone more than six months imprisonment. As on 14.2.2004, Manjit Singh has undergone imprisonment of 4 months and 26 days. The sentence of Manjit Singh is reduced to the period already undergone.

Insofar as Thana Singh is concerned, his sentence was reduced to one year for offence under Section 325 I.P.C. subject to his paying a sum of Rs.10,000/- as compensation to Sukhdev Singh. He has undergone imprisonment of 6 months and 2 days. His sentence of one year is reduced to the period already undergone subject to the condition that if payment of compensation has not been made, it shall now be made by him in terms of judgment of the High Court within a period of six weeks, failing which the sentence awarded by the High Court will be maintained. The appeal is disposed of accordingly.

.....J
(Y.K. Sabharwal)

New Delhi,.....J
July 12, 2004(D.M. Dharmadhikari)