

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). 878 OF 2005

JEET SINGH & ORS. Appellant (s)

VERSUS

STATE OF HARYANA Respondent(s)

(With office report )

Date: 27/10/2010 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MARKANDEY KATJU  
HON'BLE MRS. JUSTICE GYAN SUDHA MISRA

For Appellant(s) Ms. Jaspreet Gogia, Adv.  
Mr. Vipin gogia, Adv.  
Mr. K.M. Gupta, Adv.

For Respondent(s) Mr. Rajeev Gaur "NASEEM", Adv.

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

The Appeal is disposed of.

Vide order dated 18.07.2005 this Court has granted bail to the appellants. Bail bonds in respect of appellant No. 1-Jeet Singh are cancelled. He shall be taken into custody forthwith to serve out remaining period of sentence.

Bail bonds in respect of appellant Nos. 2, 3 and 4 herein are discharged since we acquit them of the charges levelled against them.

( Rajesh Dham )  
Court Master

( Indu Satija )  
Court Master

(signed order is placed on the file)  
IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO(s). 878 OF 2005

JEET SINGH & ORS. Appellant (s)

VERSUS

STATE OF HARYANA Respondent(s)

O R D E R

Heard learned counsel for the parties.

This Appeal, by special leave, has been filed against the impugned judgment and order of the High Court of Punjab and Haryana dated 15.01.2004.

The facts have been stated in the impugned judgment and order of the High Court and hence we are not repeating the same here.

This is a case of circumstantial evidence. It has come in the evidence that Malkiat Singh (appellant No. 3 herein) and his wife Kamaljeet Kaur (appellant No. 4 herein) were living in a separate house adjoining to the house of the deceased and husband of the deceased. Hence, presence of appellant Nos. 3 and 4 herein was doubtful at the place and time of incident in question and their involvement in the incident was not corroborated by any evidence adduced by

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the prosecution. In the circumstances, we are inclined to give them benefit of doubt.

As regards Shiv Raj Singh (appellant No. 2 herein), there is no motive shown about his involvement in the incident in question. Hence, we are inclined to give him benefit of doubt.

In so far as Jeet Singh (appellant No. 1 herein) husband of the deceased is concerned, we see no reason to interfere with the impugned judgment of the High Court. Although this is a case of circumstantial evidence, it has come in evidence of Virpal Kaur, sister of the deceased, that when she returned to the house she had seen Jeet Singh standing near the body of the deceased. In the post-mortem report, the deceased was found to have injury on her neck. Apart from that, poison was also found in her viscera. Hence, we see no reason to interfere with the conviction and sentence imposed on Jeet Singh-appellant No. 1 herein.

For the reasons stated above, conviction and sentence imposed on appellant No. 1-Jeet Singh is upheld and appellant Nos. 2, 3 and 4 herein are acquitted of the charges levelled against them.

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Vide order dated 18.07.2005 this Court has granted bail to the appellants.

Bail bonds in respect of appellant No. 1-Jeet Singh are cancelled. He shall be taken into custody forthwith to serve out remaining period of sentence.

Bail bonds in respect of appellant Nos. 2, 3 and 4 herein are discharged since we acquit them of the charges levelled against them.

The Appeal is disposed of accordingly.

.....J.  
(MARKANDEY KATJU)

.....J.  
(GYAN SUDHA MISRA)

NEW DELHI  
OCTOBER 27, 2010.

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