

ITEM NO.14

COURT NO.2

SECTION IIB

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Crl.)

No(s). 1557/2013

(Arising out of impugned final judgment and order dated 17/11/2011  
in CRA No. 225/2009 passed by the High Court Of Punjab & Haryana At  
Chandigarh)

HABIB @ MUNNA

Petitioner(s)

VERSUS

STATE OF HARYANA

Respondent(s)

(with appln. For dispensing with service of notice and office  
report)

Date : 18/11/2015 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE T.S. THAKUR  
HON'BLE MRS. JUSTICE R. BANUMATHI

For Petitioner(s)

Mr. Mahabir Singh, Sr. Adv.  
Mr. N.M.Popli, Adv.  
Mrs. B. Sunita Rao, Adv.

For Respondent(s)

Mr. Ajay Bansal, AAG,  
Dr. Monika Gusain, Adv.  
Mr. Gaurav Yadav, adv.UPON hearing the counsel the Court made the following  
O R D E RThe petitioner has been held to be a juvenile in terms of  
the report submitted by the Registrar of this Court. Mr. MahabirSingh, learned senior counsel for the petitioner submits that while  
Signature Not VerifiedDigitally signed by  
Shashi Sareen  
Date: 2015.11.23the petitioner may have been held guilty of a heinous offence of  
10:04:55 IST  
Reason:murder, this Court could consider releasing him on bail pending  
final hearing of the appeal along with similar other matters where

issues concerning the approach to be adopted in cases of juveniles

found guilty of heinous crimes are being examined by this Court. He has in that regard placed before us an Order dated 18.03.2015 passed in Criminal Appeal No 598 of 2008. He submits that the petitioner has already undergone imprisonment for nearly seven years.

Five persons have been sentenced for dacoity and murder. Four of them have not chosen to challenge their conviction. They are undergoing sentence. The incident is nearly 10 years old. There is no eye-witness in the case. It is common ground that the said iron rod allegedly recovered from the petitioner was not blood stained. In the circumstances and keeping in view the fact that the petitioner appears to be a juvenile, we are inclined to suspend the remainder of sentence awarded to him. We accordingly direct that the remainder of sentence awarded to the petitioner shall remain suspended and he shall be enlarged from custody subject to his furnishing bail bonds in a sum of Rs. 50,000/- with two sureties in the like amount to the satisfaction of the Trial Court provided he is not required in connection with any other case.

List the special leave petition along with Crl. A. No. 598 of 2008 and connected matters.

(Shashi Sareen)  
AR-cum-PS

(Veena Khera)  
Court Master