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ITEM NO.61

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

Petition(s) for Special Leave to Appeal (Crl) No(s).4284-4285/2013
(From the judgment and order dated 02/09/2011 in CRLA No. 1056/2000 and
order dated 24/07/2012 in CRLA No. 1056/2000,CRLM No.39711/2012 of The HIGH
COURT OF PUNJAB & HARYANA AT CHANDIGARH)

KARTAR SINGH

Petitioner(s)

VERSUS

STATE OF PUNJAB

Respondent(s)

With application for condonation of delay in filing SLP, exemption from
filing certified copy and permission to file additional documents, bail,
exemption from filing certified copy, bringing on record additional
documents and bail)

Date: 10/05/2013 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.K. PATNAIK
HON'BLE MR. JUSTICE A.K SIKRI

For Petitioner(s) Mr. P.N. Puri, Adv.
Ms. Reeta Dewan Puri, Adv.
Mr. Dhiraj, Adv.

For Respondent(s) Mr. Jayant K. Sud, AAG.
Mr. Chirag Khurana, Adv.
Mr. Ujas Kumar, Adv.
Mr. Kuldip Singh, Adv.

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

| Delay condoned.
| Leave granted.
| Heard learned counsel for the parties.
| The appeals stand allowed to the extent indicated in the signed order.

| [KALYANI GUPTA] | | [SHARDA KAPOOR]
| COURT MASTER | | COURT MASTER

[SIGNED ORDER IS PLACED ON THE FILE.]
IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NOS. 760-761 of 2013
ARISING OUT OF S.L.P.(CRL) NOS. 4284-4285 OF 2013

KARTAR SINGH APPELLANT

VERSUS

STATE OF PUNJAB RESPONDENT

O R D E R

- Delay condoned.
2. Leave granted.
 3. Heard learned counsel for the parties.
 4. The trial court convicted the appellant Kartar Singh for offences under Sections 148, 307 read with 149 and 324 read with 149 of the Indian Penal Code and imposed different periods of sentence for the aforesaid offences maximum being for a period of one year.
 5. In appeal, the High Court reduced the sentence to one day imprisonment for each of the offences in view of the compromise entered into between the parties but imposed a rider in the impugned order that the appellant will surrender before the trial court within fifteen days failing which the trial court shall issue non-bailable warrant of arrest to surrender and the appellant will be sent to jail to undergo the unserved portion of the sentence.
 6. As the appellant did not surrender in terms of the order passed by the High Court within a period of 15 days as directed, the appellant has been sent to jail and has already suffered the sentence of more than three months.
 7. In view of the fact that the appellant is more than 75 years of age and is suffering from various ailments, we modify the impugned order of the High Court and reduce the sentence to the period of three months which the appellant has already undergone.
 8. The appeals stand allowed to the extent indicated above.

.....J
[A.K. PATNAIK]

.....J
[A.K. SIKRI]

NEW DELHI
May 10, 2013.