

ITEM NO.23

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)... 2012
CRLMP.NO(s). 11386

(From the judgement and order dated 07/12/2011 in CRLA
No.6/1999,CRLM No.30040/2011 of The HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH)

MAJOR SINGH

Petitioner(s)

VERSUS

STATE OF PUNJAB

Respondent(s)

With CRLMP.11386/2012(c/delay in filing SLP)

Date: 10/05/2012 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ALTAMAS KABIR
HON'BLE MR. JUSTICE SURINDER SINGH NIJJAR

For Petitioner(s)

Mr. J.M. Khanna, AOR.
Ms. Shefali Sethi, Adv.
Mr. Harkesh Chand Aggarwal, Adv.

For Respondent(s)

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

Delay condoned.

In view of the submissions made on behalf
of the petitioner that he has already undergone
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the sentence awarded to him and that he is
entitled to be released, although, the Special
Leave Petition is directed against an order
which deals with the High Court's powers
relating to Section 362 Cr.P.C., let notice
issue to the sole respondent, the State of
Punjab. Let service be effected, both in the
usual course and also by way of dasti service,
through the learned Standing Counsel.

We make it clear that this notice is being issued in exercise of our powers under Article 142 of the Constitution, inasmuch as, in our view, the petitioner should not be detained in prison beyond the sentence awarded to him.

The notice is made returnable, within one week after re-opening.

(Sheetal Dhingra)
COURT MASTER

(Juginder Kaur)
Assistant Registrar