

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl) No(s).3440/2006

(From the judgement and order dated 19/01/2006 in CRLA No.44/1993 of the HIGH COURT OF
PUNJAB & HARYANA AT CHANDIGARH)

STATE OF PUNJAB

Petitioner(s)

VERSUS

GEORGE MASIH

Respondent(s)

(With office report)

Date: 07/01/2008 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.H. KAPADIA

HON'BLE MR. JUSTICE B. SUDERSHAN REDDY

For Petitioner(s) Mr. H.S. Munjral, Adv.

Mr. Kuldip Singh, Adv.

For Respondent(s)

Mr. P.N. Puri, Adv.

UPON hearing counsel the Court made the following
ORDER

Leave granted.

The Appeal is allowed in terms of the signed order.

(N. Annapurna)
Court Master(Madhu Saxena)
Court Master(Signed order is placed on the file)
IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.39 OF 2008
(Arising out of S.L.P.(Crl.) No.3440/2006)

State of Punjab

...Appellant

Versus

George Masih

...Respondent

ORDER

Leave granted.

In this case, the accused allegedly misbehaved with the wife of the deceased. The deceased intervened. It is the case of the prosecution that the accused stabbed the deceased with the knife. The trial court had passed an order of conviction under Section 304 (Part-II). The matter was carried in appeal to the High Court. Unfortunately, in the impugned order, no reasons are given for setting aside the order of the trial court. Without reasons the sentence has been reduced to the period undergone.

In the circumstances, we set aside the impugned judgment and remit the matter to the High Court for fresh consideration in accordance with law on the merits of the matter.

-2-

...2/-

The Appeal is, accordingly, allowed.

.....J.
(S.H. KAPADIA)

.....J.
(B. SUDERSHAN REDDY)

New Delhi,
January 07, 2008.