

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). 1289 OF 2007

STATE OF PUNJAB

Appellant (s)

VERSUS

PAPPU @ BALWINDER SINGH & ORS. Respondent(s)
(With applns. for permission to file additional documents and
office report)
WITH APPEAL(CRL) NO. 1287 of 2007
(With office report)

Date: 05/08/2010 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE HARJIT SINGH BEDI
HON'BLE MR. JUSTICE C.K. PRASAD

For Appellant(s)

Mr. Kuldip Singh, Adv.
Mr. Kamal Mohan Gupta, Adv.

For Respondent(s)

Mr. Neeraj Kumar Jain, Sr. Adv.
Mr. Umang Shankar, Adv.
Mr. Sushant Kumar, Adv.
Mr. Ugra Shankar Prasad, Adv.

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

We have herd the learned counsel for the
parties.
The appeal are dismissed in terms of the
signed order.

(KALYANI GUPTA)
SR. P.A.

(VINOD KULVI)
COURT MASTER

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

CRIMINAL APPEAL NO. 1289 OF 2007

STATE OF PUNJAB

..... APPELLANT

VERSUS

PAPPU @ BALWINDER SINGH & ORS.

..... RESPONDENTS

WITH
CRIMINAL APPEAL NO. 1287 of 2007

O R D E R

We have heard the learned counsel for the parties.

On a reading of the evidence particularly, the medical evidence, we find that even on accepting prosecution story to be correct a case under Section 302 of the Indian Penal Code would not be made out and the matter would fall under Section 304 Part II of the IPC. We also see from the record that respondents have already put in six years in jail when they were acquitted by the High Court.

As a normal sentence under Section 304 Part II would be about five years, to examine this matter on merits would thus be a futile exercise.

The appeals are dismissed.

.....J
[HARJIT SINGH BEDI]

.....J
[C.K. PRASAD]

NEW DELHI
AUGUST 05, 2010.