

ITEM NO.202

COURT NO.12

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). 5368/2009

(Arising out of impugned final judgment and order dated 07/07/2008 in CRLM No. 512/2007 passed by the High Court Of Punjab & Haryana at Chandigarh)

STATE OF HARYANA

Petitioner(s)

VERSUS

AVINASH HANDA & ORS.

Respondent(s)

(with office report)
(For final disposal)

Date : 27/10/2014 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE V. GOPALA GOWDA

HON'BLE MR. JUSTICE C. NAGAPPAN

For Petitioner(s)

Mr. Devashish Bharuka, Adv.

For Respondent(s)

Mr. Manjit Singh, AAG
Mrs. Nupur Choudhary, Adv.
Mrs. Vivekta Singh, Adv.

Dr. Kailash Chand, Adv.

Ms. Anitha Shenoy (A.C.)
Ms. Neha Singh, Adv.

Ms. Shalu Sharma, Adv.

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

Ms. Anitha Shenoy, Advocate has been appointed as amicus curiae vide this Court's order dated 07.02.2014, to assist this Court on behalf of respondent no. 2.

In the facts and circumstances of the case, we are of the

considered view that the concurrent finding recorded by the High Court on the charges against the respondents-accused is based on proper appreciation of the evidence on record and they have been rightly acquitted. Therefore, it is not a fit case for our interference. In this view of the matter, the petition is liable to be dismissed and it is dismissed accordingly.

Further, we deem it just and appropriate to direct the State of Haryana to pay the professional charges of Rs.15,000/- (Rupees Fifteen Thousand only), by way of demand draft, to Ms. Anitha Shenoy, amicus curiae, within four weeks from the date of receipt of the copy of this order. The Registry is directed to send the copy of this order to the State of Haryana for compliance of this order.

The special leave petition is dismissed with the aforesaid direction.

(VINOD KUMAR)
COURT MASTER

(MALA KUMARI SHARMA)
COURT MASTER