

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 1752-1753 OF 2011

STATE OF HARYANA

Appellant(s)

VERSUS

GURDEV SINGH & ORS.

Respondent(s)

WITH

CRIMINAL APPEAL NO. 1750-1751 OF 2011

CRIMINAL APPEAL NO. 2030 OF 2011

CRIMINAL APPEAL NO. 2031 OF 2011

O R D E R

The State of Haryana as well as the accused persons have come up in appeals before this Court, aggrieved by the impugned Judgment and order dated 11.03.2011 passed by the High Court of Punjab and Haryana in MR No. 2 of 2010 and CRLA No. 479-DB/2010, wherein the High Court has reversed the order of the trial court from death sentence to life imprisonment in case of some of the accused persons and acquitted two of the accused persons from all the charges.

The trial court convicted Mandeep Singh for rigorous imprisonment for 7 years under Section 364 IPC and for 3 years under Section 120B, Ganga Raj for rigorous imprisonment for life under Section 302 IPC and further ordered death sentence for Gurdev Singh, Suresh Kumar, Rajinder Singh, Satish Kumar and Baru

Ram under Section 302 IPC and rigorous imprisonment for 7 years under Section 364 IPC and for 3 years under Section 120B IPC.

The High Court maintained for the order of rigorous imprisonment for 7 years in case of Mandeep Singh under Section 364 IPC, but the charges under Section 120B are dropped. Ganga Raj and Satish Kumar have been acquitted from all the charges leveled against them. The High Court has converted the sentence of death penalty for Gurdev Singh, Suresh Kumar, Rajinder Singh and Baru Ram to life imprisonment under Section 302 IPC combined with rigorous imprisonment for 7 years under Section 364 IPC, but dropped the charges under Section 120B against them.

We have heard Mr. Huzefa Ahmadi and Mr. Sanjay R. Hegde, learned senior counsel appearing for the accused and complainant respectively and Mrs. Geeta Luthra, learned senior counsel appearing for the State of Haryana and have perused the record.

We find that the High Court was right in converting the death penalty imposed by the trial court to life imprisonment. We find no reason to interfere with the impugned Judgment passed by the High Court. Thus, we find no merits in the appeals, which are, accordingly, dismissed.

However, we direct payment of compensation of Rs.5,00,000/- (Rupees Five Lakhs), to be paid by convicted surviving accused i.e. Mandeep Singh, Gurdev Singh, Suresh and Baru Ram in accordance with Section 357 Cr.P.C. in equal proportion to the mother of the deceased Manoj.

As far as the accused Rajinder Singh is concerned, it is reported that he has expired. Therefore, the appeal(s) stand(s) abated as against him.

.....J.
[ARUN MISHRA]

.....J.
[VINEET SARAN]

New Delhi;
January 09, 2019.

ITEM NO.112

COURT NO.5

SECTION II-B

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

Criminal Appeal No(s). 1752-1753/2011

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Cr1.A. No. 1750-1751/2011 (II-B)

Cr1.A. No. 2030/2011 (II-B)

Cr1.A. No. 2031/2011 (II-B)

Date : 09-01-2019 These appeals were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE ARUN MISHRA
HON'BLE MR. JUSTICE VINEET SARAN

Counsel for the
parties

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Ms. Shahrukh Alam, Adv.
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Mr. Akshay N., Adv.
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Mr. Shish Pal Laler, Adv.
Mr. Sonit Sinhmar, Adv.

Mr. Devesh Kumar Tripathi, AOR

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

The appeals are dismissed in terms of the signed order.

**Pending interlocutory application(s), if any, is/are disposed
of.**

**(JAYANT KUMAR ARORA)
COURT MASTER**

**(JAGDISH CHANDER)
BRANCH OFFICER**

(Signed order is placed on the file)