

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Cr1) No(s).6423/2012

(From the judgement and order dated 10/07/2009 in CRA No.70/2003, of The HIGH COURT OF BOMBAY AT PANAJI)

WILSON AGNEL FERNANDES Petitioner(s)

VERSUS

STATE OF GOA TR.PP Respondent(s)

(With appln(s) for c/delay in filing SLP,bail,permission to file additional documents and office report )

Date: 07/08/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE T.S. THAKUR  
HON'BLE MR. JUSTICE VIKRAMAJIT SEN

For Petitioner(s) Ms. Laxmi Arvind,Adv. (SCLSC)  
MS. Poonam Prasad, Adv.  
Mr. Pradeep Kumar Mathur, Adv.  
Mr. Amardeep Sharma, Adv.

For Respondent(s) Mr.Siddharth Bhatnagar, Adv.  
Mr. Pawan Kumar Bansal, Adv.  
Mr. T. Mahipal,Adv.

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

Delay condoned.  
Leave granted.  
The appeal is dismissed in terms of the signed order.

| (Shashi Sareen) | | (Veena Khera) |  
| Court Master | | Court Master |

(Signed order is placed on the file)

IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL No. 1143 OF 2013  
(Arising out of SLP(Cr1.) No. 6423 of 2012)

| WILSON AGNEL FERNANDES | ... | Appellant(s) |

| Versus |

O R D E R

Leave granted.

This appeal arises out of a judgment and order dated 10.7.2009 passed by the High Court of Bombay at Goa whereby Criminal Appeal No. 70 of 2003 filed by the appellant has been dismissed and the conviction of the appellant for offences punishable under Sections 302 and 307, Indian Penal Code and the sentence of life imprisonment awarded to him upheld.

We have heard learned counsel for the parties at some length who have taken us through the judgment and the material on record. Both the courts have on the basis of the deposition of the witnesses produced by the prosecution including the recovery of the knife, the weapon of offence at the instance of the appellant herein and the recovery of the bag containing the money looted from the deceased held the appellant guilty. We do not see any error much less any

perversity in that conclusion to warrant interference under Article 136 of the Constitution of India.

Besides we are told by learned counsel for the respondent-State that the appellant has already been enlarged from jail pursuant to an order of remission passed by the State Government in exercise of its powers under Section 432, Cr.P.C. A communication dated 01.08.2013 addressed by the Additional Secretary (Home), Government of Goa, has in that regard been filed by the learned counsel from a reading whereof it appear that the appellant Wilson Agnel Fernandes has been released from central prison, Aguada on 24.07.2013 pursuant to the order passed by the State Government.

In the result, this appeal is accordingly dismissed.

.....J.  
(T.S.THAKUR)

.....J.  
(VIKRAMAJIT SEN)

