

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

CrI.MP.No.11708/2008 in
Petition(s) for Special Leave to Appeal (CrI) No(s).5358/2008

(From the judgement and order dated 17/07/2008 in CRLWP No. 543/2008 of The HIGH COURT OF
PUNJAB & HARYANA AT CHANDIGARH)

AMANDEEP SINGH & ORS. Petitioner(s)

VERSUS

GIPPY ARORA & ANR. Respondent(s)

(Appln(s) for stay and vacation of ex-parte stay)

Date: 17/10/2008 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE C.K. THAKKER
HON'BLE MR. JUSTICE D.K. JAIN

For Petitioner(s) Mr. Prabhjit Jauher, Adv.
Mr. Anumpa Kaul, Adv.
Mr. S.S. Jauhar, Adv.

For Respondent(s) Ms. Deepika Marwaha, Adv.
Mr. Vinay Kumer Shailendra, Adv.
Mr. Mahinder Singh Dahiya, Adv.
Mr. K.K. Mahalik, Adv.
Mr. Ajay Pal, Adv.

UPON hearing counsel the Court made the following
ORDER

Leave granted.

The appeal is disposed of. all contentions of all the parties are kept
open.

[Charanjeet Kaur]
Court Master

[Vinod Kulvi]
Court Master

[Signed order is placed on the file]
IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 1630 OF 2008
(Arising out of SLP(CrI.) No. 5358/2008)

Amandeep Singh & Ors. .. Appellant(s)

Versus

Gippy Arora & Anr. .. Respondent(s)

ORDER

Leave granted.

The present appeal is directed against the interim order passed by the High Court of Punjab & Haryana. The said order reads as under :

"Arguments heard on the point of maintainability, however, it is felt desirable that question of maintainability be also disposed of along with the main petition.

Learned counsel for respondent No. 2 prays for short adjournment to file detailed reply to the writ petition.

Adjourned to 6.8.2008. On the said date respondent is directed to produce the child in Court. Both the parties are also directed to be present in court on the adjourned date." (emphasis supplied)

The appellant has approached this Court being aggrieved by that part of the order by which the High Court directed to produce the child on August 6, 2008 without deciding the question of maintainability of writ petition. We had issued notice and meanwhile further proceedings were

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Cr1.A.1630/2008..contd..

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also stayed. The child was thus not produced in the Court pursuant to the stay order.

We have heard learned counsel for the parties.

In our opinion, let interim stay which we had granted continue till the disposal of the main matter by the High Court. The High Court is requested to decide the main matter as expeditiously as possible, preferably within two months.

The appeal is, accordingly, disposed of. All contentions of all the parties are kept open.

Learned counsel for appellant No. 1-Amandeep Singh (father) states that the child-Dasasyajit Singh is in Delhi and that the father has no objection if respondent No. 1-Gippy Arora (mother) is allowed to meet her son in presence of both the counsel.

.....J

[C.K. THAKKER]

.....J

[D.K. JAIN]

NEW DELHI,
OCTOBER 17, 2008.