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SLP(Crl.)No. 4759 OF 2003
ITEM No.34

Court No. 5

SECTION IIA
A/N MATTER

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. 4759/2003

(From the judgement and order dated 14/08/2003 in CRLM 35907/03 in
Crl.A.1411/01 of The HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

FATEH SINGH

Petitioner (s)

VERSUS

STATE OF HARYANA

Respondent (s)

(With Appln(s). for bail)
(With Office Report)

Date : 19/01/2004 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE Y.K. SABHARWAL
HON'BLE MR. JUSTICE B.P. SINGH

For Petitioner (s) Mr. Rajesh K. Sharma, Adv.
Ms. Shalu Sharma, Adv.

For Respondent (s) Mr. Vinay K. Garg, Adv.

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

Leave granted.
The appeal is disposed of.

(S. Thapar)
PS to Registrar

(V.P. Tyagi)
Court Master

The signed order is placed on the file.

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.....OF 2004
(Arising out of SLP(Crl.)No.4759 of 2003)

Fateh Singh

Appellant (s)

versus

O R D E R

Leave granted.

The appellant has been convicted for offence under Section 307 IPC and sentenced to undergo 5 years rigorous imprisonment. Criminal Appeal No.1411-SB of 2001, filed by the appellant, challenging the conviction and sentence is pending in the High Court. By the impugned order dated 14th August, 2003 the High Court has, however, declined to suspend the sentence. The appellant has already undergone more than 2 1/2 years imprisonment. Having regard to the facts and circumstances of the case, we set aside the impugned order and suspend the sentence of the appellant pending his appeal before the High Court. The appellant will be released on bail on his furnishing bail bond to the satisfaction of the Chief Judicial Magistrate, Narnaul (Haryana)

The appeal is disposed of accordingly.

.....J
(Y.K. Sabharwal)

New Delhi,.....J
January 19, 2004(B.P. Singh)