

\220SLP(Crl.)No.5923/09 1

ITEM NO.11

COURT NO.2

SECTION IIB

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 (Crl.) No(s).5923/2009

(Arising out of impugned final judgment and order dated 27/03/2009

in CRLAP No.610/2001 passed by the High Court of Punjab & Haryana at Chandigarh)

JHAMMAN SINGH

Petitioner(s)

VERSUS

STATE OF HARYANA

Respondent(s)

(With appln.(s) for exemption from filing O.T. and permission to file additional documents)

(For final disposal)

WITH

SLP(Crl) No.6957/2009

(With Office Report)

SLP(Crl) No.10220/2009

(With Office Report)

Date : 06/12/2016 These petitions were called on for hearing today.

CORAM :

HON&#39;BLE MR. JUSTICE JAGDISH SINGH KHEHAR

HON&#39;BLE MR. JUSTICE A.M. KHANWILKAR

For Petitioner(s) Mr.Mahabir Singh, Sr.Adv.

& for RR Nos.2 & 3 Mr.Ram Naresh Yadav, Adv.

In SLP(Crl.)6957/09 Mr.Gagandeep Sharma, Adv.

Mr. Ram Naresh Yadav, Adv.

Mr.Atul Agrawal, Adv.

Mr.R.K.Verma, Adv.

Mr. Mohd. Irshad Hanif, Adv.

Dr. Kailash Chand, Adv.(NP)

For Respondent(s) Mr.Arun Bhardwaj, AAG

Mr.Ronak Karanpuria, Adv.

Mr.Ashish Pandey, Adv.

Ms.Gauraan Bhardwaj, Adv.

Mr Rao Ranjit, Adv.(NP)

Mr. Sunil Fernandes, Adv.(NP)

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Upon hearing the counsel the Court made the following

O R D E R

1. Having heard learned counsel for the petitioners, we are of the view, that the conviction recorded by the High Court, as against accused No.1 â Jhamman Singh, and accused No.2 â Mani Ram, is fully substantiated on the basis of the evidence produced by the prosecution, and no interference whatsoever is called for on the issue of the findings recorded by the High Court, on merits.

2. Insofar as the question of sentence is concerned, the High Court, having taken into consideration the fact, that the proceedings of trial had prolonged for more than 10 years, and the fact, that the two accused/petitioners were on bail for long years, and they never misused the liberty granted to them. And the further fact, that the petitioner â Jhamman Singh had already suffered incarceration for a period of two and a half years, and the petitioner â Mani Ram had similarly incarcerated for a period of ten months, the High Court was of the view, that the ends of justice demanded, the sentence of the petitioners be reduced to the period already undergone by them. We are satisfied, that the aforesaid determination of the High Court was fully justified, in the facts and circumstances of these cases.

3. The special leave petitions are accordingly dismissed.

4. As a sequel to the above, pending interlocutory applications also stand disposed of.

(SATISH KUMAR YADAV)

(RENUKA SADANA)

AR-CUM-PS

ASSISTANT REGISTRAR