

SECTION-IIB
IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

PETITION FOR SPECIAL LEAVE TO APPEAL (CRL.) NO. 8086 OF 2010

WITH

CRIMINAL MISCELLANEOUS PETITION NO. 20594 OF 2011

(Applications for ad-interim stay of arrest)

RAJWINDER SINGH @ RAJ BRAR & ANR. ... Petitioners
VERSUS
STATE OF PUNJAB ... Respondent

OFFICE REPORT

The matter above-mentioned was listed before the Hon'ble Court on 18.10.2010, when the following Order were passed:

"Application seeking exemption from filing official translation is allowed.

Issue notice returnable within a period of four weeks.

In the meantime, we stay the arrest of the petitioners in the present matter."

Accordingly, Show Cause Notice returnable on 17.01.2011 was issued to the Sole Respondent/State of Punjab through Regd. Post A.D.

It is submitted that Mr. Kuldip Singh, Advocate has filed Vakalatnama/Appearance on behalf of the sole respondent.

The matter above-mentioned was again listed before the Hon'ble Court on 23.08.2011, when the Court was pleased to pass the following Order:

"The learned counsel for the petitioner is directed to implead the complainant as respondent No.2. The amended memo of parties be filed within two weeks.

Issue notice to the impleaded respondent No.2, returnable within four weeks."

It is submitted that in compliance of the Order quoted above, Ms. Karamjit Kaur-Complainant has been impleaded as Respondent No. 2 and accordingly cause title has been amended.

It is further submitted that since the Counsel for the Petitioner has not filed spare copy of Special Leave Petition for issuance of show cause notice to the impleaded Respondent No. 2, the matter above-mentioned was listed before the Court

of Registrar on 04.11.2011, when the following Order was passed:

"Petitioners have to take appropriate steps to confirm service upon newly and amended litigant. For the purpose, let there be a fresh notice with additional dasti service, which is permitted to be served through nearest Civil Court or Trial Court or through the Prosecuting Agency. State Authority has to help the petitioner to confirm service.

Spare copies are to be filed on or before 16.11.2011.

If spare copies are not filed before 16.11.2011, list before the Hon'ble Judge in Chambers for non-prosecution. If spare copies are filed before 16.11.2011, issue notice, as per the above order.

List again on 3.1.2012 ."

It is submitted that pursuant to the Order quoted above, Show Cause Notice was issued to respondent No. 2 through regd. AD post on 22.12.2011. A copy of the dasti notice was also handed over to the Counsel for the Petitioner for effecting dasti service of the notice on respondent No. 2 and to file proof of service.

It is further submitted that Counsel for the Petitioner has on 03.09.2012 filed affidavit with proof of dasti service of the notice on respondent No. 2, but no one has filed Vakalatnama/Appearance on behalf of respondent No. 2, so far.

It is lastly submitted that Mr. Kuldip Singh, Advocate has filed Counter Affidavit on behalf of respondent No. 1. Copy of the Counter Affidavit has been included in Special Leave Petition paper books.

Service of Show Cause Notice is complete.

The matter is therefore, listed before the Court of Registrar with this office report.

DATED this the 16th day of August, 2013.

ASSISTANT REGISTRAR

COPY TO:

1. Mr. Rahul Gupta, Advocate
2. Mr. Kuldip Singh, Advocate

ASSISTANT REGISTRAR