

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 1008 OF 2009

RAJ SINGH

APPELLANT(S)

VERSUS

THE STATE OF PUNJAB

RESPONDENT(S)

WITH

CRIMINAL APPEAL NO.1007 OF 2009

O R D E R

Crl. A. No.1008 of 2009:

Learned counsel for the appellant submits that the appellant is no more.

In view of the said submissions, the appeal stands dismissed as abated.

Pending application(s), if any, shall stand disposed of.

Crl. A. No.1007 of 2009:

1. Though the learned counsel appearing for the appellant made two submissions, namely, that there is no objection from the informant for acquitting the appellant and even on merit, he is entitled to be acquitted as the recovery is doubtful and even assuming that the occurrence is true, there has been a provocation. Therefore, it is a case of exceeding private defence and we are not inclined to accept the said submission as both the Courts below have concurrently held against the

appellant by considering the evidence of the eye-witnesses.

2. However, taking note of the fact that the occurrence took place back in the year 1994, and that the case of the prosecution itself is that there was a prior enmity since the victim was allegedly in relationship with the sister of the appellant, we are inclined to modify the sentence to the period already undergone while confirming the conviction.
3. The appeal stands allowed in part accordingly. The bail bonds, if any, stand discharged.
4. Pending application(s), if any, shall stand disposed of.

.....J.
[M.M. SUNDRESH]

.....J.
[S.V.N. BHATTI]

NEW DELHI;
14TH FEBRUARY, 2024

ITEM NO.101

COURT NO.14

SECTION II-B

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

Criminal Appeal No(s). 1008/2009

RAJ SINGH

Appellant(s)

VERSUS

THE STATE OF PUNJAB & ANR.

Respondent(s)

WITH

Crl.A. No. 1007/2009 (II-B)

Date : 14-02-2024 These appeals were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE M.M. SUNDRESH
HON'BLE MR. JUSTICE S.V.N. BHATTI

For Appellant(s) Ms. Roopa Paul, Adv.
Mr. H L Chumber, Adv.
Ms. Sunita Bhardwaj, Adv.
Mr. Parveen Paul, Adv.
Ms. Vasundhara Rana, Adv.
Mr. Satyendra Kumar, AOR

For Respondent(s) Mrs. Rekha Pandey, AOR
Mr. Raghav Pandey, Adv.
Ms. Gauri Pandey, Adv.

Mr. Vivek Jain, DAG
Mr. Siddhant Sharma, AOR
Mr. Rajat Jain, Adv.

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

Crl. A. No.1008 of 2009:

The appeal stands dismissed as abated in terms of the signed order. Pending application(s), if any, shall stand disposed of.

Crl. A. No.1007 of 2009:

The appeal is allowed in part in terms of the signed order. Pending application(s), if any, shall stand disposed of.

(SWETA BALODI)
COURT MASTER (SH)

(POONAM VAID)
COURT MASTER (NSH)

(Signed order is placed on the file)