

SUPR EME COUR T OF I N D I A  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl) No(s).9234/2008

(From the judgement and order dated 05/11/2008 in CRLM No. 6620/2008  
of The HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

STATE OF HARYANA & ORS.

Petitioner(s)

VERSUS

SHARWAN SINGH

Respondent(s)

(With appln(s) for stay,vacating stay, grant of bail and office report)

WITH

SLP(Crl) NO. 9393 of 2008

SLP(Crl) NO. 9394 of 2008

SLP(Crl) NO. 9395 of 2008

(With appln(s) for stay and office report)

SLP(Crl) NO. 1454 of 2009

(with appln(s) for c/delay in filing SLP and exemption from filing c/c of  
the impugned order and stay and office report)

SLP(Crl) NO. 752-753 of 2009

SLP(Crl) NO. 755 of 2009

SLP(Crl) NO. 764 of 2009

SLP(Crl) NO. 783 of 2009

SLP(Crl) NO. 786 of 2009

SLP(Crl) NO. 829 of 2009

SLP(Crl) NO. 831 of 2009

SLP(Crl) NO. 832 of 2009

SLP(Crl) NO. 836 of 2009

SLP(Crl) NO. 1096 of 2009

SLP(Crl) NO. 2654 of 2009

(with appln(s) for stay and office report)

Date: 20/07/2009 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MARKANDEY KATJU

HON'BLE MR. JUSTICE ASOK KUMAR GANGULY

For Petitioner(s) Mr.Manjit Singh, AAG for  
Mr. Kamal Mohan Gupta,Adv.

For Respondent(s) Mr. B.S.Malik, Sr. Adv.  
in SLP(Crl.) 836/09 Mr. Sanjay Sharawat,Adv.  
In SLP 9234/2008 Mr. Sanjay Sharawat, Adv.

-2-

In SLP 786/2009 Mr.Mahabir Singh, Sr. Adv.  
Mr. Rakesh Dahiya, Adv.for  
Mr. Ajay Pal, Adv.

UPON hearing counsel the Court made the following  
ORDER

This is a bunch of cases in which prayer is for pre-mature  
release of the accused-respondents who have been convicted under  
Section 302 and other Sections of the Indian Penal Code.

Section 433A of the Code of Criminal Procedure provides that  
a minimum of 14 years' of actual sentence has to be served before the  
case of pre-mature release is considered.

Learned counsel for some of the accused-respondents have stated that these accused-respondents can be released before completing 14 years' of actual sentence.

Learned Attorney General for India, who was present in the Court, has stated that this legal issue as to whether an accused, who was convicted under Section 302 & other sections of the Indian Penal Code and has not completed 14 years' of actual sentence as provided under Section 433A of the Cr.P.C., can be released before completion of 14 years' of actual sentence or not is pending before Court No.1 in Writ Petition (Criminal) No. 100 of 2007. Hence, we direct that the special leave petitions in which accused have not completed 14 years' of actual sentence be tagged with Writ Petition(Criminal) No.100 of 2007, pending before Court No.1 and the rest of the petitions in which accused have completed 14 years' of actual sentence be placed

th

for hearing on 13 August, 2009. (List of the segregated petitions shall be supplied by Shri Manjit Singh, learned AAG for the State of Haryana).

(Parveen Kr. Chawla)  
Court Master

( Indu Satija)  
Court Master