

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

ITEM NO. 13

SPECIAL LEAVE PETITION (CRIMINAL) Diary No.10097/2021

(Arising out of impugned final judgment and order dated 15-07-2020 in CRAD No. 1037/2013 passed by the High Court of Punjab & Haryana At Chandigarh)

GURSAHIB SINGH

Petitioner(s)

VERSUS

THE STATE OF PUNJAB & ANR.

Respondent(s)

(IA No.99049/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.99047/2021-PERMISSION TO FILE PETITION (SLP)

ITEM NO.41

SLP(CRL.) NO. 6151/2021

FOR ADMISSION AND I.R. AND IA NO. 101473/2021-EXEMPTIN FROM FILING C/C OF THE IMPUGNED JUDGMENTN...[TO BE TAKEN UPALONG WITH ITEM NO. 13 I.E. DIARY NO.10097/2021]

Date : 23-08-2021 These petitions were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE HRISHIKESH ROY

For Petitioner(s) Mr. Rajiv Kataria, Adv.
Ms. Debjani Das Purkayastha, Adv.
for M/S. Delhi Law Chambers, AOR

For Respondent(s)

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

Applications seeking exemption from filing C/C of the impugned judgments and permission to file petition are allowed.

We have perused the chart submitted by learned counsel for the petitioner which is now placed on record.

In terms of the chart, which has been prepared as per the

judgment of the trial court at page 182 to 184, the amount of compensation to be paid to the legal heirs of each of the three persons who were murdered is Rupees three lakhs. However, the other aspect is that the payment has to be made out of the fine to be deposited by the accused i.e. two-third of the amount. Thus, the payment can be postponed till the end of the sentence. The submission of the learned counsel for the petitioner is that the provisions of Section 357 Cr.P.C. ought to have been taken into account while determining this compensation and ensuring its disbursement which is something required to be done at present. It is also the submission of the petitioner that even though vide Order dated 19.5.2014 this aspect was noticed while issuing notice, the impugned order simply dismisses the appeal without recording the reasons for the same.

We may notice that on the other aspects the matter stands concluded in view of dismissal of the special leave petition(s) by this Court.

Issue notice limited to the aforesaid aspect.

A copy of the order to accompany notice.

[RASHMI DHYANI]
COURT MASTER

[POONAM VAID]
COURT MASTER