

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL No.41/2022

(@ Special Leave Petition (CrI.) No.2374/2020)

MEHTAB SINGH

APPELLANT(s)

VERSUS

THE STATE OF HARYANA

RESPONDENT(s)

O R D E R

Leave granted.

We have heard learned counsel for parties.

The appeal before the High Court was against the conviction under Section 302 of the IPC and by the impugned order dated 02.3.2020 after noticing the testimony of the witnesses, the conclusion is recorded in para 15 in four lines in general terms to dismiss the appeal. We do believe that a first appeal in a murder case cannot be dealt within this fashion.

In view of the aforesaid, we set aside the impugned order dated 02.3.2020 and remit the matter back for consideration before the High Court restoring the CRA-D-786-DB-2005 to its original number.

The criminal appeal is accordingly allowed.

We make it clear that since we had exempted the appellant from surrendering and the appellant is stated to

be more than 80 years of age and has been on bail in the proceedings before the High Court, he would continue to be on bail but subject to the terms set out in the Order dated 22.4.2020 with the modification to the extent that he will report on first Monday of every Month to the local Police Station in the forenoon.

.....J.
[SANJAY KISHAN KAUL]

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

New Delhi
Dated:06th January, 2022

ITEM NO.11 Court 6 (Video Conferencing)

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

Petition(s) for Special Leave to Appeal (Cr1.) No.2374/2020

(Arising out of impugned final judgment and order dated 02-03-2020 in CRA-D-786-DB-2005 passed by the High Court Of Punjab & Haryana at Chandigarh)

MEHTAB SINGH

Petitioner(s)

VERSUS

THE STATE OF HARYANA

Respondent(s)

Date : 06-01-2022 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE M.M. SUNDRESH

For Petitioner(s) Mr. Rameshwar Singh Malik, Sr. Adv.
Mr. Jitesh Malik, Adv.
Ms. Anisha Dahiya, Adv.
Mr. Satish Kumar, AOR

For Respondent(s) Dr. Monika Gusain, AOR

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

Leave granted.

The Criminal Appeal is allowed in terms of the signed order.

Pending application, if any, shall stand disposed of.

(RASHMI DHYANI)
COURT MASTER

(POONAM VAID)
COURT MASTER

(Signed order is placed on the file)