

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO(s). 41 OF 2017
(Arising out of SLP(CRL) NO(s).1862 of 2016)

NAVAL KISHOR GANDHI & ANR . . . APPELLANT(S)

VERSUS

STATE OF PUNJAB . . . RESPONDENT(S)

O R D E R

1. Leave granted.
2. While deciding Criminal Appeal No.1580 of 2015 arising out of the very same order, this Court had passed the following order :-

"We have perused the judgment dated 27th February, 2015. Unfortunately it does not discuss the case of each accused, but disposes of all the Appeals before it on the strength of Criminal Appeal No.S-2806-SB of 2011 titled as Anil Kumar Soni vs. State of Punjab. For these reasons miscarriage of justice has occurred. Be that as it may, the Appeal is allowed without going into the merits of each of the individual case. The Appeal is remanded back to the High Court for fresh consideration individually.

The Appellant-Accused had been enlarged on bail during the pendency of the Appeal before the High Court but had subsequently surrendered. In these circumstances he shall be enlarged on bail on his furnishing fresh bail bonds to the satisfaction of the Trial Court. The appeal be decided expeditiously by the High Court.

The Appeal as well as the Review Petition is allowed accordingly."

3. The instant appeal is also disposed of in the above terms. Consequently the pending applications shall also disposed of.

.....,J.
(RANJAN GOGOI)

.....,J.
(ASHOK BHUSHAN)

NEW DELHI
JANUARY 06, 2017

ITEM NO.46

COURT NO.4

SECTION IIB

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 (Crl.) No(s). 1862/2016

(Arising out of impugned final judgment and order dated 27/02/2015 in CRLA No. 2899/2011 passed by the High Court of Punjab & Haryana at Chandigarh)

NAVAL KISHOR GANDHI AND ANR.

Petitioner(s)

VERSUS

STATE OF PUNJAB

Respondent(s)

(with office report)

Date : 06/01/2017 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE RANJAN GOGOI
HON'BLE MR. JUSTICE ASHOK BHUSHAN

For Petitioner(s) Ms. Sonam Gupta, Adv.
Ms. Ishita Jain, Adv.
Mr. D.P. Singh, Adv.
Mr. Sanjay Jain, Adv.

For Respondent(s) Mr. Ashok Agarwal, AG, Punjab
Mr. Saurabh Ajay Gupta, AAG
Mr. Nishant Bishnoi, Adv.

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

Leave granted.

While deciding Criminal Appeal No.1580 of 2015 arising out of the very same order, this Court had passed the following order :-

"We have perused the judgment dated 27th February, 2015. Unfortunately it does not discuss the case of each accused, but disposes of all the Appeals before it on the strength of

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The Appeal as well as the Review Petition is allowed accordingly."

The instant appeal is also disposed of in the above terms. Consequently the pending applications shall also disposed of.

(Neetu Khajuria)
Court Master

(Asha Soni)
Court Master

(Signed order is placed on the file.)