

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO(S). 2022 OF 2017
[ARISING OUT OF SPECIAL LEAVE PETITION (CRIMINAL)
NO.7751 OF 2017]

MAHENDRA SINGH . . . APPELLANT(S)

VERSUS

THE STATE OF UTTARAKHAND . . . RESPONDENT(S)

ORDER

1. Leave granted.
2. We have heard the learned counsels for the parties.
3. Upon hearing the learned counsels for the parties and upon due consideration of the matter we direct that the Investigating Officer (I.O.) ordered to be examined by the High Court may be so examined as a court witness to prove the relevant G.D. Entry. The examination of the I.O. allowed by the present order will be notwithstanding the fact that the defence evidence has been closed.
4. The order of the High Court is modified to the above extent and the appeal is accordingly allowed.

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

.....,J.
(R. BANUMATHI)

NEW DELHI
NOVEMBER 24, 2017

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). 7751/2017
(ARISING OUT OF IMPUGNED FINAL JUDGMENT AND ORDER DATED 13-09-2017
IN CRLMA NO. 1194/2017 PASSED BY THE HIGH COURT OF UTTARAKHAND AT
NAINITAL)

MAHENDRA SINGH

PETITIONER(S)

VERSUS

THE STATE OF UTTARAKHAND

RESPONDENT(S)

Date : 24-11-2017 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE RANJAN GOGOI
HON'BLE MRS. JUSTICE R. BANUMATHI

For Petitioner(s)

Mr. Sanjay Jain, AOR
Ms. Tajinder Virdi, Adv.

For Respondent(s)

Mr. Vinay Arora, Dy.AG, Uttarakhand
Ms. Namita Choudhary, AOR
Ms. Kritika Khurana, Adv.
Mr. Harshul Singh, Adv.

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

Leave granted.

The appeal is allowed in terms of the signed
order.

[VINOD LAKHINA]

AR-cum-PS

[ASHA SONI]

BRANCH OFFICER

[SIGNED ORDER IS PLACED ON THE FILE]