

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

SPECIAL LEAVE PETITION (CRIMINAL) Diary No(s). 3456/2020

(Arising out of impugned final judgment and order dated 13-12-2018 in CRAD No. 982/2013 passed by the High Court of Punjab & Haryana at Chandigarh)

GAURI SHANKAR

Petitioner(s)

VERSUS

STATE OF PUNJAB

Respondent(s)

(FOR ADMISSION and I.R. and IA No.27847/2020-CONDONATION OF DELAY IN FILING and IA No.27848/2020-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 20-02-2020 This petition was called on for hearing today.

CORAM :

HON'BLE MS. JUSTICE INDU MALHOTRA
HON'BLE MR. JUSTICE AJAY RASTOGIFor Petitioner(s) Mr. A.Sirajudeen,Sr.Adv.
(SCLSC) Ms. Manjeet Chawla, AOR
Mr. Karri Venkata Reddy,Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E RApplication for exemption from filing certified
copy of the impugned order is allowed.

Delay condoned.

Learned senior counsel for the petitioner submits that on the date of framing of charges i.e. 29th April, 2013 itself, the Trial Court recorded evidence of the two material prosecution witnesses PW-1 and PW-2, without affording a reasonable opportunity to the petitioner to cross examine the prosecution witnesses as mandated under

section 230 of the Criminal Procedure Code, 1973. In support of his submission learned counsel has placed reliance on the judgment of this Court in Union of India vs. V.Sriharan alias Murugan & Ors. (2016) 7 SCC 1. It is further submitted that the Trial Court has sentenced the petitioner to Life i.e. for the remainder of natural life.

Issue notice returnable after six weeks.

List thereafter.

(ANITA MALHOTRA)
COURT MASTER

(SUNIL KUMAR RAJVANSHI)
COURT MASTER