

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 739 OF 2020
(Arising out of SLP (Cr1.) No. 8590/2017)

HARCHAND

Appellant(s)

VERSUS

KRISHAN SAGWAN & ANR.

Respondent(s)

O R D E R

Leave granted.

Having heard learned counsel for the parties, it is clear that an egregious error has been made by the judgment under appeal when it states that no witness had yet named the respondents in their statements. It has been pointed out that one Shish Pal as well PD-1 & 2 has, in fact, taken the appellant's name as a result of which the respondent No.1 and two others were added under Section 319 Cr.P.C. by an order dated 25.08.2017. This order is correct and ought not to have been interfered with in revision by the High Court.

This being so, we set aside the impugned judgment of the High Court and the order dated 25.08.2017 is restored.

Accordingly, the appeal is allowed.

..... J.
(ROHINTON FALI NARIMAN)

..... J.
(ANIRUDDHA BOSE)

..... J.
(KRISHNA MURARI)

New Delhi;
November 06, 2020.

ITEM NO.24

Court 2 (Video Conferencing)

SECTION II

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

Petition(s) for Special Leave to Appeal (Cr1.) No(s). 8590/2017

(Arising out of impugned final judgment and order dated 15-09-2017 in SBCRR No. 1138/2017 passed by the High Court Of Judicature For Rajasthan At Jodhpur)

HARCHAND

Petitioner(s)

VERSUS

KRISHAN SAGWAN & ANR.

Respondent(s)

Date : 06-11-2020 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN
HON'BLE MR. JUSTICE ANIRUDDHA BOSE
HON'BLE MR. JUSTICE KRISHNA MURARI

For Petitioner(s) Mr. Satish Tamta, Sr. Adv.
Ms. Binu Tamta, AOR
Mr. Dhruv Tamta, Adv.

For Respondent(s) Mr. Abhishek Gautam, AOR
Dr. Manish Singhvi, Sr. Adv.
Mr. Milind Kumar, AOR

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.

Pending applications, if any, stand disposed of.

(R. NATARAJAN)
ASTT. REGISTRAR-cum-PS

(Signed order is placed on the file)

(NISHA TRIPATHI)
BRANCH OFFICER