

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.1336 OF 2004

State of Punjab and another ... Appellants

Versus

Shavinder Pal Puri ... Respondent

O R D E R

This is an appeal for setting aside order dated 11.7.2003 passed by the learned Single Judge of the Punjab and Haryana High Court in Criminal Misc. No.11191 of 2003, the operative part of which read as under:

"In such circumstances, I think that harsh view of the matter should be taken and a case should be registered against the person responsible for the false implication of the petitioner, as mentioned in Annexure P-2 and further they should be directed to pay Rs.5 lacs as compensation in equal share to the petitioner for the false implication. I order accordingly."

Shri H.M. Singh, learned counsel for the appellant invited our attention to judgment dated 6.11.2009 passed by Special Judge, Moga in SC No.:RT 129 of 16.12.1998/15.6.2001 State v. Shavinder Pal Puri to show that order dated 29.10.2002 passed by Special Judge, Moga discharging the respondent was set aside by the High Court in Criminal Revision No.5/2004 decided on 24.4.2008 and, thereafter, the learned Special Judge, convicted the respondent for offence under Section 18 of the Narcotic Drugs and Psychotropic Substances Act, 1985 and sentenced him to 4 years rigorous imprisonment and to pay fine of Rs.20,000/- and in default to undergo further rigorous imprisonment for one year. A copy of judgment dated 6.11.2009 has already been placed on the record of this appeal.

Learned counsel appearing for the respondent says that he is not in a position to controvert the statement made by Shri H.M. Singh.

(Signed order is placed on the file)