

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRA-D-748-DB of 2003

Date of decision:-21.3.2017

Chetan @ Chintu and anr.

....Appellants

Versus

The State of Haryana

....Respondent

**CORAM : HON'BLE MR. JUSTICE T.P.S. MANN
HON' BLE MR. JUSTICE H.S. MADAAN**

Present : Mr.Deepender Singh, Advocate with
Mr.R.K. Rana, Advocate
for the appellants.

Mr.Praveen Bhadu, Assistant Advocate General, Haryana.

H.S. MADAAN, J.

This appeal has been preferred against the judgment dated 2.9.2003 passed by the Court of learned Sessions Judge, Gurgaon, vide which he had convicted both the accused Chetan alias Chintu and his brother Ramu for the offence under Section 302 IPC and in addition to that accused Chetan alias Chintu was convicted for offence under Section 25 of the Arms Act and they were sentenced as follows:

Name of accused	Under Section	Sentence Awarded
Chetan @ Chintu and Ramu	302 IPC	Imprisonment for life and to pay a fine of Rs.5,000/- each and in default thereof, to further undergo rigorous imprisonment for a period of six months each.
Chetan @ Chintu	25 of Arms Act	Rigorous imprisonment for six months.

The substantive sentences were ordered to run concurrently.

The accused-convicts, who are appellants before this Court

pray that the appeal be accepted, the impugned judgment of conviction and order of sentence be set aside and they be acquitted of the charge framed against them.

In nutshell, the facts of the case as per prosecution version are that on 6.7.2000, a telephonic call was received at Police Station Pataudi from some unknown person at about 9:05 p.m. to the effect that a quarrel was going on involving son of Maman Singh at Nahata Chowk. On coming to know about it, a police party headed by ASI/SHO Rajesh Kumar (hereinafter referred to as the Investigating Officer/IO) went to that place, where the persons gathered there disclosed that the injured had been taken to CHC, Pataudi. As such, the police party went to CHC, Pataudi, where dead body of Ghanshyam @ Babbal son of Maman Singh was found to be lying there. The police party came across Maman Singh – complainant, who got his statement Ex.PG recorded with ASI Rajesh Kumar wherein he stated that on that very day, his son Ghanshyam @ Babbal aged about 20-25 years had gone to Nahata Chowk located near his house to bring curd; that at about 8:30/9:00 p.m. Shakuntla wife of Ghanshyam @ Babbal informed the complainant that a quarrel was going on at the chowk, hearing that complainant Maman Singh proceeded towards the said place situated 50/60 steps away from his house and he got the matter patched up between warring factions. One of the party involved in the quarrel was Dayal son of Ram Gulam and his sons. When Ghanshyam @ Babbal tried to rescue the other party from Dayal and his three sons, the latter started quarrelling with him. As soon as complainant and his son Ghanshyam @ Babbal had reached near their house, then Chintu alias Chetan son of Dayal, who was

standing ready in the street having a knife stabbed Ghanshyam @ Babbal in the chest. Sunil, brother of Chetan @ Chintu having a *trishul* gave a blow with it to Ghanshyam @ Babbal hitting him on elbow of his left hand whereas their other brother – Ramu having a knife in his hand gave a blow with it in the chest of Ghanshyam @ Babbal. When complainant and his other sons and daughter-in-law Shakuntla besides Himmat son of Kalyan Singh and Jaipal son of Karan Singh of Pataudi and other persons rushed to rescue Ghanshyam alias Babbal, then all the three assailants fled from the spot along with their respective weapons. Some persons from the crowd threw stones, which hit on head of Chetan @ Chintu but all the three assailants ran away from the rear door of their house. *Inter alia* in his statement, the complainant had stated that earlier a quarrel had taken place between them on one side and the accused party on the other side and out of that grudge, all the three assailants had caused injuries to Ghanshyam alias Babbal, who had succumbed to those injuries while being taken to hospital. The complainant sought taking an action against the accused/assailants. This statement was signed by complainant Maman Singh in Hindi. His signatures were attested by ASI Rajesh Kumar, who in addition to that put his endorsement Ex.PG/1 below that statement and sent ruqa to police station through Constable Amar Singh at 10:15 p.m. from CHC Pataudi, on the basis of which formal FIR Ex.PF was recorded at Police Station Pataudi for offence under Section 302 read with Section 34 IPC by ASI Sugan Singh. The said ASI put his endorsement on the ruqa and then sent the original ruqa along with endorsement back to the Investigating Officer. The Investigating Officer carried out inquest proceedings with

regard to unnatural death of Ghanshyam @ Babbal, preparing a report Ex.PM in that regard. He drafted an application Ex.PE for the purpose of getting the post-mortem examination conducted on the dead body and got the needful done. Then the police party went to the spot where the Investigating Officer prepared rough site-plan of the place of incident as Ex.PN, recorded statements of witnesses and searched for the accused, who were not found to be available at their house and as such the police party returned to the police station.

On 7.7.2000, accused Chetan was arrested from the house of his uncle and he had produced a knife Ex.P1. The Investigating Officer prepared the rough sketch of such knife as Ex.PO/1 and thereafter converted it into a parcel sealing it with his seal, which was taken into possession vide recovery memo Ex.PO attested by Constable Pawan Kumar and Rajbir. The shirt which accused Chetan @ Chintu was wearing, was blood stained and the same i.e.Ex.P2 was converted into a sealed parcel and taken into possession vide the said recovery memo. The Investigating Officer had moved an application Ex.PC and got Chetan @ Chintu medically examined. After completion of investigation and other formalities, challan against accused Chetan @ Chintu only was prepared and filed in the Court of learned Judicial Magistrate Ist Class, Gurgaon whereas Devi Dayal, Sunil and Ramu were not challaned and their names were mentioned in Column No.2 of report under Section 173 Cr.P.C.

On presentation of challan in the Court of Judicial Magistrate Ist Class, Gurgaon, he supplied copies of documents relied upon in the challan to the accused free of costs as provided under

Section 207 Cr.P.C. Then finding that the offence under Section 302 IPC is exclusively triable by Court of Sessions, learned Judicial Magistrate Ist Class, Gurgaon vide his order dated 20.10.2000 committed the case to the Court of learned Sessions Judge, Gurgaon.

On receipt of case in the Court of learned Sessions Judge, Gurgaon, observing that prima facie charge for offence under Section 302 IPC and Section 25 of the Arms Act was disclosed against accused Chetan alias Chintu, he was charge-sheeted accordingly, to which, he pleaded not guilty and claimed trial. The case was then fixed for evidence of prosecution.

During the course of its evidence, the prosecution examined Maman Singh as PW1 in which he had named Ramu and Sunil as accused/assailants along with Chetan @ Chintu accused/assailant. Thereafter, the prosecution had moved an application under Section 319 for summoning of Ramu and Sunil as additional accused. That application was allowed by learned Sessions Judge vide order dated 9.2.2001 and Ramu and Sunil were ordered to be summoned as additional accused. Both of them put in appearance. Thereafter, amended charge for the offence under Section 302 read with Section 34 IPC was framed against all the three accused, namely, Chetan alias Chintu, Sunil alias Sonu and Ramu. In addition to that, charge for offence under Section 25 of the Arms Act was framed against accused Chetan alias Chintu, to which, they pleaded not guilty and claimed trial and the case was then fixed for evidence of prosecution.

It may be mentioned that after putting in appearance, accused Sunil had moved an application that he was aged about 16

years, 2 months and 16 days at the time of commission of alleged offence as his date of birth happened to be 20.4.1984 and as such learned Sessions Judge, Gurgaon vide order dated 24.5.2001 directed Chief Judicial Magistrate, Gurgaon to hold an enquiry, to take all necessary evidence and the documents in connection with age of accused Sunil and thereafter to submit his report on or before 15.6.2001. Learned Chief Judicial Magistrate, Gurgaon accordingly conducted the enquiry and submitted his report observing that date of birth of accused was 18.11.1983 and as per Juvenile Justice Act, 2000, he came within the definition of juvenile since he had not completed 18 years of age on the date of incident. Therefore, case of Sunil was forwarded to Juvenile Court to face trial there. The prosecution was directed to file separate challan against Sunil before the Juvenile Court. Amended charge was framed against accused Chetan @ Chintu and Ramu, to which, they pleaded not guilty and claimed trial.

During the course of evidence of prosecution, it examined as many as twelve witnesses as per details below:

PW1 Dr.Yogesh Lata from C.H.C., Pataudi deposed that on 6.7.2000 while she was posted as such, she had sent written intimation Ex.PA to SHO, Police Station Pataudi regarding dead body of Ghanshyam @ Babbal having been brought to their medical institute.

PW2 Dr.G.R. Anand, Medical Officer, while posted at CHC, Pataudi on 7.7.2000 had medico-legally examined Chetan @ Chintu accused and found the following injuries on his person:

“1. Lacerated wound of size 2 cm x .5 cm x muscle deep over left parietal area in anterior part near mid

line. Redness and tenderness was present. Injury was advised x-ray.

2. Contusion of upper lip on right side. Redness and tenderness was present.

3. Abrasion of size 18 cm x .1 cm over left side of chest extending from medial end of left clavicle towards shoulder. Redness was present.

4. Bruise of size 16 cm x 2 cm over left side of chest on back extending from middle of chest downward near vertebral column. Redness and tenderness were present. Injury was advised x-ray.”

He proved copy of MLR as Ex.PB stating that he had conducted medico legal examination of patient on police request Ex.PC.

PW3 Dr. Rajesh Kumar, Medical Officer, General Hospital, Gurgaon deposed that on 7.7.2000, he conducted post-mortem examination of Ghanshyam @ Babbal son of Maman Singh, resident of Ward No.4, Nahata Chowk, Pataudi. Rigor mortis was markedly present in all the four limbs. Post mortem staining was present and he had observed the following injuries on his person:

“1. A spindle shaped stab wound 2.2 cm x .5 cm on the posterio lateral aspect of left forearm 8 cm below elbow. The wound was bone deep, subcutaneous ecchymosis present. Blood clots present sharp margins.

2. Stab wound .4 x .4 cm on the left forearm ventral aspect just below elbow. It was bone deep, contained

blood clots.

3. Spindle shaped stab wound on the left side chest with sharp everted margins size 1.8 x .6 cm, 2 cm away from mid line, 8.5 cm from left nipple. There was a corresponding hole in the chest wall. On further dissection similar hole was found in the pericardium. .7 x .5 cm hole in the anterior wall of right ventricle. No injury to posterior wall.

4. Stab wound of size 1 cm x .5 cm with everted sharp margins present on the right side chest just lateral to sternal margins at the level of nipple. On further dissection corresponding hole was present in the chest wall, a tear was seen in the pericardium, .5 x .4 cm hole was found in the anterior wall of the right ventricle.

5. A stab wound with ill defined margins present in the left side chest .8 x .4 cm in size. 1 cm away from the left sternal edge, 5 cm below injury No.3. The injury is muscle deep, blood clots present.

6. Horizontal blackish red abrasion on left side chest between injury No.3 and 5, size 5 cm x .2 cm, subcutaneous ecchymosis present.

7. Vertical blackish red abrasion on right side chest below injury No.4, size 6.5 x .2 cm subcutaneous ecchymosis present.”

The scalp, skull, vertebra were normal and healthy. He

stated that cause of death in this case was due to shock and haemorrhage resulting from injury to vital organ i.e. heart; that all the injuries were ante-mortem in nature; that probable duration between injuries and death was few minutes and between death and post-mortem was within 24 hours. He proved copy of post-mortem report as Ex.PD and pictorial diagram showing seats of injuries as Ex.PD/1. He further proved police request for conducting post-mortem examination as Ex.PE.

PW4 Constable Raj Kumar deposed that on 6.7.2000 while he was posted at Police Station Pataudi, ASI Rajesh Kumar had deputed him to get post-mortem examination conducted on the dead body of Ghanshyam @ Babbal. He accordingly did the needful on 7.7.2000; that doctor had handed over the sealed parcel to him which he deposited with MHC, Police Station Pataudi; that the dead body was handed over to the family members of the deceased.

PW5 Constable Paras stated that on 6.7.2000, while he was posted at Police Station Pataudi, special report was handed over to him for delivering the same to higher officials and he accordingly delivered the special report to Illaqa Magistration at 1:30 on the intervening night of 6/7.7.2000.

PW6 ASI Sugan Singh deposed that on 6.7.2000 while posted at Police Station Pataudi, on receipt of statement Ex.PG with endorsement of ASI Rajesh Kumar, he had recorded formal FIR Ex.PF and had appended his endorsement Ex.PG/1.

PW7 Constable Naresh Kumar stated that on 26.7.2000 while posted in S.P. Office, Gurgaon, he had visited Nahata Chowk, Pataudi and had prepared scaled site-plan Ex.PH of place of occurrence

on the demarcation of Maman Singh. He stated that marginal notes were correct according to position at the site.

PW8 HC Braham Parkash and PW9 Constable Pawan Kumar, formal witnesses tendered in evidence their affidavits Ex.PJ and Ex.PL, respectively, praying that the same be read as a part of their statement.

PW10 Maman Singh complainant and PW11 Shakuntla provided the eye-witness account of the incident supporting the prosecution story on material aspects.

PW12 ASI Rajesh Kumar, since promoted as Sub-Inspector, who had carried out the investigation in this case deposed in that regard proving various documents.

Learned Public Prosecutor tendered in evidence reports Ex.PK and Ex.PK/1 of FSL, Madhuban (Karnal).

With that the prosecution evidence got concluded.

Statements of accused were recorded under Section 313 Cr.P.C., in which all the incriminating circumstances appearing against them were put to them but they denied the allegations contending that they are innocent and had been falsely involved in this case.

Further, accused Chetan @ Chintu took up a plea that in fact Surinder son of Maman Singh and Rajinder son of Roop Chand were taking liquor in front of the shop of one Mahender; that when his father passed in front of them, he had a verbal altercation with Rajinder and Surinder took side with Rajinder and caught hold of his father by his collar and slapped him; that there was a commotion which attracted Babbal @ Ghanshyam who came armed with a pipe to the spot; that he

was given injuries on his head and other parts of body by Ghanshyam @ Babbal and Surinder gave him fist blows; that he in the right of his private defence, took hold a knife from a *rehriwala*, who was selling eggs and inflicted injuries to Ghanshyam @ Babbal; that on the same night, he accompanied his mother to the police station to lodge the report regarding receipt of injuries by him; that at that very time intimation was received by the police through telephone that Ghanshyam @ Babbal had died and so he was made to sit in the police station there and then his arrest was shown on the next day; that there was no electric power on that day between 8:00 p.m. and 9:00 p.m. in Pataudi; that Maman and his daughter-in-law Smt.Shakuntla were got up witnesses; that they were not present at the spot and that his other two brothers had nothing to do with this occurrence.

Further, accused Ramu took up a plea that he is innocent; that he has nothing to do with this case and has been falsely implicated.

During their defence evidence, accused examined Sumer Singh son of Ramji Lal, aged 65 years, agriculturist, resident of village Pahari as DW1, who stated that about 2 $\frac{3}{4}$ years earlier (his statement was recorded in the Court on 29.4.2003), he started from Gurgaon for Pahari, the village to which he belongs; that when he reached Pataudi, no further mode of conveyance was available; that then he visited Rati Ram, his village mate who runs a *lathe* shop at Pataudi; that he explained his difficulty to Rati Ram, who informed him that a transport vehicle of a brick-kiln would be coming that side and he would help him in boarding it; that Rati Ram also informed him that there had been an altercation at Nahata Chowk and that Dayal Mistri was a party to that

altercation. According to this witness, he and Rati Ram went to Nahata Chowk, where a crowd had collected. It had grown dark by that time; that shopkeepers holding shops in the vicinity of Nahata Chowk were also amongst the crowd; that Jyoti Parshad, Shiv Kumar, Raj Kumar and Neshi informed him that initially a son of Maman Singh had picked up a quarrel with a son of Dayal, again said with Dayal himself. He further deposed that thereafter, another son of Maman Singh also came there with an iron rod; that in the meantime, elder son of Dayal also reached there and elder son of Maman Singh gave rod blows to a son of Dayal and that somebody picked up knife from a *rehri* of Neshi and gave 3-4 blows of it to son of Maman Singh. The assailant could not be identified. The witness stated that he was examined by the police.

DW2 Neshi @ Naresh son of Narain Das, aged 32 years, Pheriwala during the day time and Rehriwala in evening time, resident of Pataudi deposed that he sells eggs in the evening hours at a *rehri* in front of a liquor vend at Nahata Chowk, Pataudi; that about 3 years ago, at about 8:30 p.m. (statement of this witness was recorded in the Court on 4.6.2003), there was an altercation in between Surender and Dayal Mistri; that after exchanging hot words, Surender gave a slap on the face of Dayal; that in the meantime, Ghanshyam @ Babbal deceased came there while carrying a rod; that Chetan @ Chintu accused also came there; that Ghanshyam @ Babbal gave three rod blows, one on head, second on shoulder and third on waist of Chetan @ Chintu; that Surender gave fist blows to Chetan @ Chintu; that Chetan @ Chintu lifted a knife from his *rehri* and gave 4-5 blows to Ghanshyam @ Babbal; that thereafter parties were separated with the intervention of

certain people and the injured party went to the hospital. Going further, this witness stated that after about one hour thereafter, accused Ramu accompanied by Navin came to his *rehri* and asked him to prepare *bhujia* of eggs; that he enquired from him whether he had noticed that his father had been involved in an altercation and that the injured party had gone to hospital but he responded in negative; that Ramu was under the influence of liquor and he started having verbal altercation with him though he asked to confirm the same from others; that Ramu verified the information furnished by him from Jyoti Baniya, Rajesh and one or two other persons, who were present there and thereafter left the spot. The witness further stated that he had stated these facts before the police and his statement was recorded.

With that defence evidence of accused was closed.

After hearing arguments, learned trial Court convicted and sentenced the accused as mentioned above, which left them aggrieved and they have filed the present appeal.

We have heard learned counsel for the appellants-accused-convicts, learned Assistant Advocate General for the State of Haryana besides going through the record and we conclude that the appeal does not have any merit as far as appellant – accused – convict Chetan @ Chintu is concerned whereas it is otherwise as regard appellant – accused – convict Ramu.

As far as conviction and sentence of accused Chetan @ Chintu is concerned, it has to be kept in mind that such accused while being examined under Section 313 Cr.P.C. has admitted having caused injuries to the deceased with a knife though he had taken a plea of his

self defence. If his detailed plea in answer to question No.23 while being examined under Section 313 Cr.P.C. is seen, then it comes out that he had stated that Babbal @ Ghanshyam deceased had arrived at the spot with pipe and gave injuries to him on his head and other parts of body and he in right of his private defence took hold of a knife from a *rehriwala*, who was selling eggs and inflicted injuries to Ghanshyam @ Babbal; that on the same night, he had accompanied his mother to the police station to lodge the report regarding receipt of injuries by him; that at that very time intimation was received by the police through telephone that Ghanshyam @ Babbal had died and so he was made to sit in the police station there and then his arrest was shown on the next day. Now the only thing to be seen with such admission coming from the mouth of accused Chetan @ Chintu, is whether any right of self-defence was available to such accused. After scanning the record carefully, we find that it was not so though according to this accused, Ghanshyam @ Babbal deceased had caused injuries to him on his head and other parts of body with pipe. PW2 Dr.G.R. Anand, who on 7.7.2000 while posted at CHC, Pataudi, medico legally examined such accused had observed as many as four injuries on the person of such accused vide MLR Ex.PB but then all the injuries were simple in nature. Injury No.1 in the form of lacerated wound over left parietal area in anterior part near mid line, injury No.2 contusion of upper lip on right side, injury No.3 an abrasion over left side of chest and injury No.4 bruise over left side of chest although x-ray examination was advised but there is nothing on record to show that x-ray examination was actually conducted or some fracture was found with regard to any of the injuries found on the person of

accused Chetan @ Chintu. Keeping in view the nature of injuries and weapon used being blunt one, it cannot be said that any right of private defence was available to such accused, that too, to the extent of causing death of Ghanshyam @ Babbal. As a matter of fact, it is quite doubtful if such injuries had been caused on the person of accused Chetan @ Chintu by deceased Ghanshyam. A perusal of the statement made by complainant to the police regarding the incident is very important in which it is clearly mentioned that Dayal and his three sons were earlier quarrelling with some other persons. That matter had been got sorted out, however, when deceased tried to help the other party, he was attacked and caused injuries by accused Chetan @ Chintu along with his co-accused. It is also mentioned that when the assailants had started running towards their house then some body threw stones from crowd, which hit on the head of Chetan @ Chintu but the assailants had managed to flee. It is quite possible that accused had suffered injuries in such a manner. No iron pipe was recovered from the spot by the Investigating Officer. There is no counter version of accused registered by the police. If in fact any such counter version was there then under normal circumstances the police would definitely have recorded the same and carried out investigation in that regard but it being not so goes to show that no such counter version was available with the accused and his plea of self defence lacks merit. Section 97 of the Indian Penal Code deals with right of private defence of the body and of property. It provides that every person has a right subject to restrictions contained in Section 99 to defend his own body and body of any other person, against any offence affecting the human body. Thus, no case for exercise of

right of private defence could be made out by the accused. The story set up in that regard by accused Chetan @ Chintu of picking up a knife from *rehriwala*, who was selling eggs and inflicting injuries to Ghanshyam @ Babbal in private defence is unconvincing and superfluous. The knife Ex.P1 which was used in the incident and was produced by the accused Chetan @ Chintu before the police is in the form of *GUPTI*, which is not used for cutting vegetables or breaking of shells of eggs. Rather it is a dangerous type of weapon of offence and a licence/permit is required to retain the same. The plea of accused Chetan @ Chintu cannot be believed that it was lying with the egg seller and he just picked up and used it in the incident. Rather from statements of eye-witnesses i.e. PW10 Maman Singh and PW11 Shakuntla, it comes out that the accused was already having such weapon with him with which he caused injuries to Ghanshyam @ Babbal. The very fact that accused Chetan @ Chintu stabbed thrice in the chest of the deceased which is most vital part of the body injuring the heart goes to show that his intention was to cause death of the deceased inasmuch as the deceased had been stabbed thrice in the chest region.

The ocular evidence is corroborated by the medical evidence and investigation qua accused Chetan @ Chintu has been conducted in a fair and impartial manner. Thus, the prosecution has successfully proved its charge against the accused Chetan @ Chintu for offence under Section 302 IPC for committing the murder of Ghanshyam @ Babbal by causing him injuries in the chest with knife and under Section 25 of the Arms Act for retaining a knife without any licence or permit beyond the shadow of reasonable doubt.

The judgment of conviction and sentence passed by the trial Court qua appellant – accused – convict Chetan @ Chintu is well reasoned one, based upon proper appraisal and appreciation of evidence and correct interpretation of law. There is no illegality or infirmity therein and the same is upheld.

Now coming to the appeal filed by appellant – accused – convict Ramu, we are of the view that prosecution has not been able to prove its charge against such accused beyond shadow of reasonable doubt. The trial Court by misappraisal of evidence and wrong interpretation of law wrongly came to the conclusion otherwise and convicted and sentenced accused Ramu for offence under Section 302 IPC. The reasons for arriving at this conclusion are many.

Firstly, during the investigation, Ramu was not found to be involved in the incident, as such he was not challaned and rather his name was kept in column No.2 of final report under Section 173 Cr.P.C. It was only during the trial when after examining complainant Maman Singh, the prosecution had moved an application under Section 319 Cr.P.C. that he along with Sunil was summoned to face trial with their co-accused Chetan @ Chintu. Secondly, no recovery of any knife etc. was effected from him during investigation of the case. Then in the inquest report Ex.PM against column No.20, the cause of death is mentioned to be murder by knife. PW3 Dr.Rajesh Kumar in his cross-examination admitted it as correct that as per history given by the police, the murder was by knife. One more important thing to be seen is that PW11 Shakuntla during her cross-examination stated that she had stated before the police that two of the assailants were armed with knives

whereas one was with *Trishul*. However, when she was confronted with her statement Ex.DA, only thing which was recorded before the police was that Chintu was armed with *GUPTI*. To challenge the veracity of this witness as regards her saying to the police that all the accused had caused injuries to Ghanshyam @ Babbal, she was confronted with her statement Ex.DA wherein only Chetan @ Chintu is shown to have caused injury.

As such the conviction and sentence of accused Ramu cannot be sustained. The appeal qua him stands accepted and his conviction and sentence for offence under Section 302 IPC is hereby set aside.

In that way, the appeal is partly allowed i.e. it is dismissed as far as appellant – accused – convict Chetan @ Chintu is concerned, resultantly his conviction and sentence are maintained whereas appeal is allowed relating to appellant – accused – convict Ramu, with the result his conviction and sentence is set aside.

It is stated that accused Chetan @ Chintu is on bail in terms of the order dated 3.4.2007 passed by this Court. His bail order is cancelled. He is ordered to be taken into custody and made to undergo the remaining sentence. Necessary direction in that regard be issued to Chief Judicial Magistrate, Gurgaon (now Gurugram).

21.3.2017
Brij

(T.P.S. MANN)
JUDGE

(H.S.MADAAN)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No