

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

Criminal Appeal No(s). 848-850/2015

I.P. ATRE

Appellant(s)

VERSUS

JATINDER MOHAN SINGH @ MOHINI & ORS. ETC.

Respondent(s)

O R D E R

The appellant in person, who has filed these appeals, had not appeared on 30.04.2019. We, therefore, directed to issue an actual date notice to him. The office report states that the notice was issued to the appellant in person through Registered A.D. Post and had also communicated through SMS. It is thus apparent that the appellant in person is aware of today's date.

These criminal appeals are directed against the judgment of the High Court, whereby the conviction of Jatinder Mohan Singh under Sections 302 and 307 IPC were set aside and he was convicted under Section 304-A IPC read with Section 338 IPC. As far as the other respondents are concerned, there is an acquittal both by the Trial Court and the High Court.

Briefly stated, the facts of the case are:-

The deceased - daughter of the appellant was an advocate practicing in Chandigarh. She died in an accident involving two vehicles. She was riding a

scooter on which her mother was the pillion rider and this scooter was dashed by a car being driven by Jatinder Mohan Singh and the other accused persons were sitting in the car at the relevant time.

The deceased Ms. Manisha @ Pinki who was driving a scooter bearing No. PVW 4633 allegedly made a statement to the police on 25.02.1996 that while she was driving a scooter at a normal speed on the correct side of the road and when she reached the round-about of Sectors 23 - 24 and 36 - 37 at Chandigarh, a Maruti car came from the opposite direction at a high speed. The said vehicle was driven in a rash and negligent manner and hit the scooter. As a result of which, she sustained injuries. The car was being driven by Jatinder Mohan Singh. The driver fled away with the car bearing No. DL-IC-D-2853 from the spot.

Unfortunately, Ms. Manisha died on account of injuries sustained in the accident. Thereafter, the mother and the father filed a number of petitions that the police was not investigating the matter properly and according to them this was not a case of mere accident but Jatinder Mohan Singh had actually used the vehicle to murder the deceased and the other accused were his accomplices. As far as the other accused persons are concerned, the only allegation is that they were sitting in the car along with driver though there is some allegation by the mother that they had all

entered into a conspiracy to murder the daughter. Both the Courts have not believed it and after examining the record, we agree with the finding of the Courts below.

As far as Jatinder Mohan Singh is concerned, the case of the appellant is that the statement of the daughter was not recorded by the police and this was in fact a fabricated document created later on to help him. The High Court has dealt with this matter in detail and has come to the conclusion that this was not a case of murder but a case of driving a vehicle rashly and negligently and accordingly sentenced him to undergo imprisonment for two years and to pay compensation of Rs.7,00,000/- (Rupees seven lacs only).

We find no reason to interfere with the findings of fact rendered by the High Court.

In view of the above observations, the criminal appeals are dismissed.

.....J.
[DEEPAK GUPTA]

.....J.
[ANIRUDDHA BOSE]

NEW DELHI;
August 20, 2019.

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

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I.P. ATRE

Appellant(s)

VERSUS

JATINDER MOHAN SINGH @ MOHINI & ORS. ETC. Respondent(s)
(IA No. 23213/2012 - PERMISSION TO APPEAR AND ARGUE IN PERSON)

Date : 20-08-2019 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE DEEPAK GUPTA
HON'BLE MR. JUSTICE ANIRUDDHA BOSE

For Appellant(s) Appellant-in-person

For Respondent(s) Mr. Yashpal Rangi, Adv.
Mr. Satish Kumar, AOR
Mr. Ranbir Sangwan, Adv.

Mr. Ritesh Khatri, AOR

UPON hearing the counsel the Court made the following

O R D E R

The criminal appeals are dismissed in terms of the signed order.

Pending application, if any, stands disposed of.

(MEENAKSHI KOHLI)
COURT MASTER

(RENU KAPOOR)
COURT MASTER

[Signed order is placed on the file]