

SUPREME COURT OF INDIA

Gian Singh

Vs.

State of Punjab

(Markandey Katju and Gyan Sudha Misra JJ.)

23.11.2010

ORDER

1. Learned counsel for the petitioner has relied on three decisions of this Court, all by two Judge Benches. They are *B.S.Joshi vs. State of Haryana*¹; *Nikhil Merchant vs. Central Bureau of Investigation and Another*²; and *Manoj Sharma vs. State and Others*³.

2. It is true that in the last two decisions, one of us, Hon'ble Mr. Justice Markandey Katju, was a member but a Judge should always be open to correct his mistakes. We feel that these decisions require re-consideration and hence we direct that this matter be placed before a larger Bench to reconsider the correctness of the aforesaid three decisions.

3. Let the papers of this case be placed before Hon'ble Chief Justice of India for constituting a larger Bench. (Parveen Kr. Chawla) (Indu Satija) Court Master Court Master [Reportable Signed Order is placed on the file]

¹(2003) 4 SCC 675

²(2008) 9 SCC 677

³(2008) 16 SCC 1