

Court No. - 41

Case :- CRIMINAL APPEAL No. - 2153 of 1989

Appellant :- Shyam Behari

Respondent :- State

Counsel for Appellant :- Virendra Saran

Counsel for Respondent :- D.G.A.

Hon'ble Rajesh Dayal Khare,J.

Hon'ble Abhai Kumar,J.

Learned counsel for the appellant as he then was, has since been elevated to the Bench of this Court and retired.

Record of the present case also reflects that the trial Court record has not yet been summoned.

Accordingly, let notice be issued to the appellant for engaging another counsel returnable within a period of three weeks, failing which, this Court would be left with no option but to appoint Amicus Curiae and the record of the trial Court be also summoned within the aforesaid period. Thereafter, office is directed to prepare paper book within two weeks.

In the meantime, concerned Chief Judicial Magistrate is directed to submit its report with regard to the status of the appellant as to whether the appellant is dead or alive by the next date of listing.

List thereafter for hearing.

Order Date :- 26.2.2018

S.Ali