

Court No. - 49

Criminal Misc. Recall Application No. 1 of 2019

IN

Case :- CRIMINAL APPEAL No. - 2359 of 1988

Appellant :- Harnam Singh And Ors.

Respondent :- State

Counsel for Appellant :- G.P. Dixit, Satendra Singh

Counsel for Respondent :- A.G.A.

Hon'ble Krishna Pratap Singh, J.

Perusal of earlier order of this Court dated 28.01.2019 indicates that this case has been listed today for disposal of the recall application and hearing of appeal on merits, but learned counsel for the appellants states that he only wants to press the recall application today as he is not prepared with the case.

Heard Mr. Satendra Singh, learned counsel for the appellants and learned AGA for the State on the recall application.

A recall application has been moved on behalf of appellants.

Learned counsel for the appellant submits that this appeal was listed for the first time on 16.11.2018 after the year 1988. It is further submitted that Mr. G.P. Dixit, earlier counsel is no more and due to non-appearance of earlier counsel, non-bailable warrant was issued against the appellants. In this appeal, the appellants were granted bail by this Court vide order dated 10.10.1988 and they have never misused the liberty of bail.

Cause shown is sufficient.

Delay, if any, is condoned.

The recall application is allowed.

The order dated 16.11.2018 is hereby recalled.

Learned counsel for the appellants undertakes that he is ready to argue the appeal as and when it is listed next.

List this case for final hearing on 14.03.2019 peremptorily.

Order Date :- 18.2.2019

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