

IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NOS. 1929-1930 OF 2013

MANISH KUMAR & ORS. ETC. . . . APPELLANT(S)

VERSUS

RADHA KRISHNA PRASAD GUPTA & ANR. ETC. .... RESPONDENT(S)

O R D E R

We have heard learned senior counsel for the appellant(s), learned senior counsel for respondent no.1 and learned counsel for the respondent/State.

We have perused the material on record including the impugned judgment passed in Criminal Revision No.187 of 2007 and Acquittal Appeal No.1 of 2008 disposed of by the High Court on 28.01.2013 by which, the judgment of acquittal passed by the Trial Court in Sessions Trial No.376 of 2005 was set aside and the matter has been remanded to the Sessions Court for a re-trial on certain directions issued by the High Court.

By consent of parties as submitted through their learned senior counsel and learned counsel, the impugned judgment dated 28.01.2013 passed by the Division Bench of the High Court is set aside. Consequently, the Acquittal Appeal No.1 of 2008 and Criminal Revision No.187 of 2007

contd..

are restored on the file of the High Court. The High Court is requested to re-consider the appeal on merits and dispose of the same as expeditiously as possible and in accordance with law.

We further clarify that the High Court while re-considering the matter shall not be influenced by the impugned order which has been set aside by us.

The Appeals are allowed/disposed of in the aforesaid terms.

Pending application (s) shall stand disposed of.

.....J.  
[B.V. NAGARATHNA]

.....J.  
[PRASANNA B. VARALE]

NEW DELHI  
JANUARY 23, 2025

ITEM NO.116

COURT NO.8

SECTION II-C

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

Criminal Appeal No(s). 1929-1930/2013

MANISH KUMAR & ORS.ETC.

Appellant(s)

VERSUS

RADHA KRISHNA PRASAD GUPTA & ANR. ETC.

Respondent(s)

Date : 23-01-2025 These appeals were called on for hearing today.

CORAM :

HON'BLE MRS. JUSTICE B.V. NAGARATHNA  
HON'BLE MR. JUSTICE PRASANNA B. VARALE

For Appellant(s) : Mr. R. Basant, Sr. Adv.  
Mr. Saurabh Mishra, Sr. Adv.  
Ms. Ana Upadhyay, Adv.  
Mr. T. Illayarasu, Adv.  
Mr. Nirnimesh Dube, AOR

For Respondent(s) :Dr. Siddharth andey, Sr. Adv.  
Ms. Mridula Ray Bharadwaj, AOR

Mr. Prabodh Kumar, AOR  
Mr. Rajat Nair, A.A.G.  
Ms. Sugandha Jain, Standing Counsel  
For State Of Chhattisgarh, Adv.

UPON hearing the counsel the Court made the following  
O R D E R

The Appeals are allowed/disposed of in terms of the  
signed order.

Pending application (s) shall stand disposed of.

(NEETU SACHDEVA)  
ASTT. REGISTRAR-cum-PS

(DIVYA BABBAR)  
COURT MASTER (NSH)