

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Criminal Appeal No.631 of 1997.

STATE OF ORISSA Appellant (s)

VERSUS

RAGHUNATH DIXIT Respondent (s)

[With office report]

Date : 11/12/2003 This Petition was called on for hearing today.

CORAM :

HON'BLE MR.JUSTICE B.N. AGRAWAL
HON'BLE MR.JUSTICE B.N. SRIKRISHNA

For Appellant (s)Mr.Raj Kumr Mehta,Adv.

For Respondent (s)Mr.KS Bhati,Adv.(AC)
(Not present)

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

Heard the learned counsel for the appellant for a few minutes.
The appeal is dismissed in view of the signed order.

[Naresh Kumar] [Promila Nagpal]
AR-cum-PS Court Master

[Signed order is placed on the file.]

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 631 OF 1997

STATE OF ORISSA

...

APPELLANT (S)

VERSUS

RAGHUNATH DIXIT

...

RESPONDENT (S)

O R D E R

Heard the learned counsel appearing on behalf of the appellant.

The sole respondent was convicted by the trial court under Section 21 of The Narcotic Drugs and Psychotropic Substances Act, 1985 and sentenced to undergo rigorous imprisonment for a period of 10 years and to pay a fine of Rs.1,00,000/-; in default, to undergo further rigorous imprisonment for a period of one year. On appeal being preferred the High Court acquitted the respondent of the charge.

Having heard the learned counsel on behalf of the appellant and perused the impugned order, we are of the view that the order of acquittal recorded by the High Court cannot be said to be perverse. Therefore, it is not possible to interfere with the impugned order. The appeal is accordingly dismissed.

.....J.
(B.N. AGRAWAL)

.....J.
(B.N. SRIKRISHNA)
New Delhi,
December 11, 2003.