

D

SLP(Crl.)No. 1946 OF 2003
ITEM No.205

Court No. 6

SECTION IIA
A/N MATTER

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

Petition(s) for Special Leave to Appeal (Crl.) No. 1946/2003
(From the judgement and order dated 11/04/2002 in LPA 237/01
of The HIGH COURT OF M.P AT JABALPUR)

STATE OF M.P. & ANR.

Petitioner (s)

VERSUS

MAKHAN

Respondent (s)

(With Appln(s). for c/delay in filing SLP& stay & exemption from filing c/c of the impugned Judgment & office report)
(For Final Disposal)

Date : 22/08/2003 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE Y.K. SABHARWAL
HON'BLE MR. JUSTICE B.N. AGRAWAL

For Petitioner (s) Mr.RP Gupta,Sr.Adv.
Mr.Binod Kumar Jha,Adv.
Ms. Kamakshi S. Mehlwal,Adv.

For Respondent (s) Mr. L.N. Gupta,Adv.

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

Delay condoned.

Leave granted.

The appeal is allowed in terms of the signed order.

[Naresh Kumar] [VP Tyagi]
Court Master Court Master
[Signed order is placed on the file.]

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 1044 OF 2003
[Arising out of SLP(Cr) 1946/2003]

State of MP & Anr.

...
APPELLANT (S)

VERSUS

Makhan
...
RESPONDENT (S)

O R D E R

Leave granted.

The point in question is concluded in favour of the appellants by a decision of this Court in Arvind Yadav vs. Ramesh Kumar & Ors. [2003(6) SCC 144]. The impugned order is set aside. The appeal is therefore allowed in terms of Arvind Yadav's case supra.

.....J.
(Y.K. SABHARWAL)

.....J.
(B.N. AGRAWAL)
New Delhi,
August 22, 2003.