

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

RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl) No(s).3249/2006

(From the judgement and order dated 14/09/2005 in CRLA No. 1890/1997 of The
HIGH COURT OF M.P AT JABALPUR)

SHIVPRASAD

Petitioner(s)

VERSUS

STATE OF M.P

Respondent(s)

(With appln(s) for c/delay in filing SLP and office report))

Date: 25/01/2007 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.P. SINGH

HON'BLE MR. JUSTICE H.S. BEDI

For Petitioner(s)

Mr. Shiv Kumar Suri,Adv.

For Respondent(s)

Mr. S.K.Dubey, Sr.Adv.

Mr. B.S. Banthia,Adv.

UPON hearing counsel the Court made the following

O R D E R

Delay condoned.

Special Leave granted.

The appeal is allowed in terms of the signed order.

(Sukhbir Paul Kaur)

(Vijay Dhawan)

Court Master

Court Master

(Signed Order is placed on the file)

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.111 OF 2007

(Arising out of SLP(Cr1.)No.3249 of 2006)

SHIVPRASAD

..APPELLANT(S)

Versus

STATE OF M.P.

..RESPONDENT (S)

O R D E R

Delay condoned.

Special Leave granted.

Having regard to a series of decisions of this Court,
we must observe

that since the appellant was not represented before the High Court,
the High

Court ought not to have disposed of the appeal without first appointing an

Amicus Curiae or giving legal aid to the appellant. In this view of the matter, we

set aside the judgment and order of the High Court and remit the matter to the

High Court to dispose of the appeal in accordance with law.

If the appellant is unrepresented, the High Court will appoint an

Amicus Curiae or refer the matter to the Legal Aid Committee.

The appeal is accordingly allowed.

.....J.

(B.P.SINGH)

.....J.

(H.S.BEDI)

New Delhi,

January 25, 2007