

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(s). 373 OF 2000

RAMJEE KESARI

Appellant (s)

VERSUS

STATE OF JHARKHAND

Respondent(s)

Date: 14/09/2006 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.N. AGRAWAL

HON'BLE MR. JUSTICE P.P. NAOLEKAR

HON'BLE MR. JUSTICE LOKESHWAR SINGH PANTA

For Appellant(s)

Mr. Ajit Kumar Sinha, Adv.

Mr. Pankaj Bhagat, Adv.

For Respondent(s)

Mr. Gopal Prasad, Adv.

UPON hearing counsel the Court made the following

O R D E R

Application for substituting respondent State of Bihar by the State of

Jharkhand is allowed.

The appeal is disposed of in terms of the signed order.

[Charanjeet Kaur]

Court Master

[Suman Wadhwa]

Court Master

[Signed order is placed on the file]

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 373 OF 2000

Ramjee Kesari

.. Appellant(s)

)

Versus

State of Jharkhand

.. Respondent(s)

O R D E R

Application for substituting respondent State of Bihar by the

State of Jharkhand is allowed.

Learned counsel for the State of Jharkhand stated that

revision filed before the Commissioner of Commercial Taxes has been

allowed and the order passed by the Joint Commissioner of

Commercial Taxes setting aside the order imposing penalty has been

set aside and penalty imposed has been restored. In view of this,

learned counsel appearing on behalf of the appellant is permitted to

withdraw this appeal giving liberty to him to challenge the said order

before appropriate forum and in case the same is set aside, it would

be open to the appellant to move the High Court again by filing an

application under Section 482 of the Code of Criminal Procedure for

quashing his prosecution. If

such an application is filed, the same shall be disposed of on its own merits by the High Court.

The appeal is, accordingly, disposed of.

.....J
[B.N. AGRAWAL]

.....J
[P.P. NAOLEKAR]

.....J
[LOKESHWAR SINGH PANTA]

NEW DELHI,
SEPTEMBER 14, 2006.