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SLP(Crl.)No. 7302 OF 2001
ITEM No.32

Court No. 8

SECTION II
A/N MATTER

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. 7302/2001

(From the judgement and order dated 11/10/2001 in UCRLA 224/01 in
Crl.A.186/2001 (Old No.CRLA 1309/98) of The High Court of Uttaranchal
at Nainital)

RAJ KISHORE SAXENA

Petitioner (s)

VERSUS

SUPERINTENDENT OF POLICE, CBI

Respondent (s)

(With Appln(s). for stay)

Date : 1/04/2002 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE U.C. BANERJEE
HON'BLE MR. JUSTICE K.G. BALAKRISHNAN

For Petitioner (s)

Mr. Jitendra Mohan Sharma,Adv.

For Respondent (s)

Mr. Altaf Ahmed, ASG,
Mr. Syed Naqvi, Adv.,
Mr. P. Parmeswaran,Adv.

UPON hearing counsel the Court made the following

O R D E R

.....L.....I.....T.....T.....T.....T.....T.....T..J.
.SP2

Leave granted.
The appeal is allowed.

.SP1

(R.K. Dhawan)
Court Master

(D.D. Jindal)
Assistant Registrar

(Signed order is placed on the file)

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IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. OF 2002@@
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(Arising out of SLP (Crl.) No.7302 of 2001)

Raj Kishore Saxena

Appellant(s)

versus

Supdt. of Police, CBI

Respondent(s)

O R D E R@@
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.....L.....I.....T.....T.....T.....T.....T.....J

.SP2

Leave granted.

In the special facts and circumstances of the matter in issue and upon hearing submissions made on behalf of the parties, we find some justification in the grievance of the appellant herein and as such the order under appeal can not be sustained.

The appeal is allowed. The impugned judgment is set aside and we deem it fit to remit the matter to the High Court and allow a further opportunity to the appellant herein to represent his case. Let it be placed on record that we have not dealt with the matter on merits and all issues are left open. The High Court would do well to dispose of the matter with utmost expedition and preferably within a period of four months from the date of communication of this order.

.SP1

.....J.
(U.C.BANERJEE)

.....J.
(K.G. BALAKRISHNAN)

New Delhi,
April 1,2002