

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO(S). 1915 OF 2011

VINOD K.GARG

Appellant(s)

VERSUS

JT.DIR.OF AGRICULTURE

Respondent(s)

WITH

CRIMINAL APPEAL NO(S). 1916 OF 2011

O R D E R

CRIMINAL APPEAL NO(S). 1915 OF 2011

Heard learned senior counsel/counsel for the
parties.

Perused the impugned judgment and order.

The impugned judgment and order is passed by the
High Court in Criminal Appeal NO.487 of 2000 in the

absence of accused-appellant as well as learned counsel for him. The order of acquittal passed by the trial court, has been reversed by the High Court and the appellant has been convicted for the offence and the charge against him along with all the other accused-respondent nos. 2 to 5 without even serving notice upon the appellant. Since the High Court has not given an opportunity for hearing to the appellant herein, in our considered view, the impugned judgment and order is passed in violation of principles of natural justice, which is liable to set aside and is set aside accordingly.

The matter is remanded back to the High Court with a request to consider the same afresh and pass appropriate order on merits after affording reasonable opportunity to the parties.

The appeal is allowed with the aforesaid direction.

Pending application(s), if any, stand(s) disposed of.

CRIMINAL APPEAL NO(S). 1916 OF 2011

For the reasons assigned in Criminal Appeal No(s). 1915 OF 2011, the appeal is allowed and the matter is remanded back to the High Court with a request to consider the same afresh and pass appropriate order on merits after affording reasonable opportunity to the parties.

The appeal is allowed with the aforesaid direction.

Pending application(s), if any, stand(s) disposed of.

.....J.
(V. GOPALA GOWDA)

.....J.
(ARUN MISHRA)

NEW DELHI,
FEBRUARY 24, 2016

ITEM NO.101

COURT NO.9

SECTION II

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

Criminal Appeal No(s). 1915/2011

VINOD K.GARG

Appellant(s)

VERSUS

JT.DIR.OF AGRICULTURE

Respondent(s)

WITH

Crl.A. No. 1916/2011

Date : 24/02/2016 These appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE V. GOPALA GOWDA

HON'BLE MR. JUSTICE ARUN MISHRA

For Appellant(s) Mr. Sudhir Nandrajog, Sr. Adv.
 Mr. Anshul Mittal, Adv.
 Mr. Vikrant Yadav, Adv.
 Mr. Harish Pandey, Adv.

Benu Gunjan Jha, Adv.
Mr. Nitin Bhardwaj, Adv.

For Respondent(s)

Mr. D. Mahesh Babu, Adv.

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

CRIMINAL APPEAL NO(S). 1915 OF 2011

Heard learned senior counsel/counsel for the
parties.

The appeal is allowed in terms of the signed

order.

Pending application(s), if any, stand(s) disposed
of.

CRIMINAL APPEAL NO(S). 1916 OF 2011

The appeal is allowed in terms of the signed
order passed in Criminal Appeal No.1915 of 2011.

Pending application(s), if any, stand(s) disposed
of.

(VINOD KUMAR)
COURT MASTER

(MALA KUMARI SHARMA)
COURT MASTER

(Common signed order is placed on the file)