IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 1017/2017
(@ Special Leave Petition (Crl.) No. 1373/2016)

RANJEET KUMAR   APPELLANT(S)

VERSUS

JANESHWAR SHARMA & ANR.   RESPONDENT(S)

O R D E R

Leave granted.

Heard the learned counsel for the parties and on perusal of the order dated 08.10.2015 passed by the High Court of Patna in Crl. Rev. No. 905 of 2014, it is clearly indicated that the High Court has not applied its judicious mind. The facts and circumstances of the case have not been mentioned. Order of discharge has been passed by mentioning that Court was satisfied with respect to the fact that no criminal intent was made out. The way in which the order is passed is laconic and does not satisfy the judicial parameter of process of reasons.

Consequently, the impugned order is set aside. We request the High Court to decide the matter afresh in accordance with Law by a reasoned order.

The appeal is allowed, accordingly.

…......................J.
(ARUN MISHRA)

…......................J.
(AMITAVA ROY)

NEW DELHI,
JULY 04, 2017

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). 1373/2016

(Arising out of impugned final judgment and order dated 08-10-2015 passed by the Hon'ble High Court of Judicature at Patna in Crl. Rev. No.905 of 2014)

RANJEET KUMAR   Petitioner(s)

                              VERSUS

JANESHWAR SHARMA & ANR.   Respondent(s)

Date : 04-07-2017 This petition was called on for hearing today.

CORAM :   HON'BLE MR. JUSTICE ARUN MISHRA
           HON'BLE MR. JUSTICE AMITAVA ROY

For Petitioner(s)   Ms. Sija N. Pal, Adv.
                     Mr. Satya Mitra, AOR

For Respondent(s)   Mr. Rudveshwar Singh, Adv.
                     Mr. Gautam Singh, Adv.
                     Ms. Isha Singh, Adv.
                     Ms. Snehil Sonam, Adv.
                     Mr. Samir Ali Khan, Adv.

                     Mr. B.B. Singh, Adv.
                     Mr. Anup Kumar, Adv.

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

     Leave granted.

     The appeal is allowed in terms of the signed order.

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

       (SONALI SAUND)   (TAPAN KUMAR CHAKRABORTY)
         SR.P.A.   COURT MASTER
           (signed order is placed on the file)