

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 1680 OF 2008

[Arising out of SLP(CrL) No. 6386/2008]

ARSHAND @ ARSAD

... APPELLANT(S)

:VERSUS:

STATE OF M.P.

... RESPONDENT(S)

ORDER

Leave granted.

Having heard the learned counsel for the parties, we are of the opinion that although the High Court may be correct in taking the view that the counsel for the appellant has not been appearing on several dates, interest of justice will be subserved if the impugned judgment is set aside and the matter is directed to be heard afresh on merit by the High Court. We direct accordingly.

It is stated before us by the learned counsel appearing on behalf of the appellant that on the next date fixed, some lawyer would appear on behalf of the appellant.

Let the matter be listed before the High Court on 17th November, 2008. If on that date, nobody appears on behalf of the appellant, the High Court shall be at liberty to appoint an amicus curiae and proceed to determine the appeal on merit on the date fixed.

The appeal is allowed with the aforementioned observation and direction.

**.....J
(S.B. SINHA)**

**.....J
(CYRIAC JOSEPH)**

**NEW DELHI,
OCTOBER 17, 2008.**