

CASE NO.:
Appeal (crl.) 368 of 2008

PETITIONER:
Jalam Singh & Anr

RESPONDENT:
State of Madhya Pradesh

DATE OF JUDGMENT: 22/02/2008

BENCH:
C.K. THAKKER & D.K. JAIN

JUDGMENT:
JUDGMENT
O R D E R

CRIMINAL APPEAL NO. 368 OF 2008
(Arising out of SLP(Crl.) No. 6153/2007)

Delay condoned.

Leave granted.

We have heard learned counsel for the parties.

Reading of the judgment of the High Court makes it clear that nobody appeared on behalf of the appellants-accused (herein also appellants), before the High Court and the matter was proceeded and decided on merits. The High Court dismissed the appeal.

On the facts and in the circumstances of the case, in our opinion, it would be appropriate if we set aside the order passed by the High Court and remit the matter to the High Court for fresh disposal in accordance with law. If the appellants are not represented by the time the matter comes up for hearing, the High Court will appoint Amicus Curiae and decide the case in accordance with law.

The appeal is, accordingly, disposed of.

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We request the High Court to decide the matter as expeditiously as possible since the appellants are in jail.