

(2001) 03 SC CK 0097

In the Supreme Court Of India

Case No : CrI. A. No. 274 of 2001 (arising out of SLP (Crl.) No. 1848 of 2000)

Sita Ram

APPELLANT

Vs

State of Madhya Pradesh

RESPONDENT

Date of Decision : 02-03-2001

Acts Referred:

Citation : AIR 2003 SC 4393 : (2002) AIRSCW 2643 : (2001) 5 Supreme 361

Hon'ble Judges : Shivaraj V. Patil, J;D. P. Mohapatra, J

Bench : Division Bench

Final Decision : DIposed Of

Judgement

1. Leave granted.

2. This appeal filed by the accused in Sessions Trial No. 59/96 of the Court of the Sessions Judge, Sarguja, Ambikapur, M.P. is directed against the judgment/order passed by the High Court of Madhya Pradesh on 23rd August, 1999 dismissing the Criminal Appeal No. 2061 of 1999 on the ground of delay of 199 days in filing the appeal holding that it was not satisfied that there was sufficient ground for condonation of the delay. The High Court did not consider the case on merit. The applicant had filed the appeal before the High Court from the prison. The SLP giving rise to this appeal was also filed from the prison.

3. On perusal of the record and on consideration of the submissions made by the learned counsel for the parties, we are of the view that the High Court should dispose of the appeal on merits. Accordingly, the appeal is allowed. The judgment/order of the High Court dated 23-8-1999 in Criminal Appeal No. 2061 of 1999 is set aside and the appeal is remitted to the High Court for disposal on merits in accordance with law. The High Court is requested to take up the case expeditiously.