

SMT. JUSTICE T. RAJANI

Criminal Appeal No.598 of 2007

JUDGMENT:

When the matter was taken up for hearing on 22.10.2018, there was no representation for the appellant and proof of service was also not filed and therefore, the matter was directed to be listed on 29.10.2018 and accordingly, when the matter was taken up on 29.10.2018, at request, the matter was adjourned to today i.e. 31.10.2018. Even today also, when the matter is called for hearing, there is no representation for the appellant.

In that view of the matter, following the judgments rendered in ***K.G. KERALAKUMARAN NAIR Vs. STATE OF KERALA AND ANOTHER¹*** and ***RAM NARESH YADAV AND OTHERS Vs. STATE OF BIHAR²***, wherein it is observed that the High Court has power to dismiss an appeal or any other criminal proceeding for default, this appeal is dismissed for non-prosecution.

As a sequel, miscellaneous applications, if any pending, shall stand closed.

JUSTICE T.RAJANI

Date: 31.10.2018
LSK

¹ 1995 CRI. L.J. 2319

² AIR 1987 Supreme Court 1500