

Jainedrakumar Vijaykumar Badjato

Vs

State of Maharashtra

Criminal Appeal No. 32 of 1990

(M.H. Kania, Kuldip Singh JJ)

22.01.1990

ORDER

1. Leave granted. Counsel heard.
2. We find that Criminal Appeal No. 25 of 1986 has been decided without the learned counsel of the appellant (accused) who was appointed by the court not being present. We do not wish to enter into the question as to why the counsel was not present. That is a matter which can be considered by appropriate authorities, if they think fit. In the circumstances, however, we set aside the judgment of the High Court and direct that the Criminal Appeal No. 25 of 1986 shall be heard afresh by the High Court. The appellant states that he will engage his own counsel at his own cost.
3. The appeal is allowed as aforesaid with no order as to costs.

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