

SUPREME COURT OF INDIA

Bhaylubhai Chimanbhai Kukana

Vs.

State of Gujarat

(G Pattanaik and B Agarwal JJ.)

04.12.2000

ORDER

1. Delay condoned.

2. Leave granted.

3. The appellant has been convicted under Section 302 I PC and has been imprisoned for life for having killed his wife by strangulation. Against his conviction and sentence, the appellant preferred an appeal and the appeal has been disposed of by the High Court without examining the evidence on record by a very cryptic order, which cannot be held to be an order of the appellate court in accordance with law. In this view of the matter and having heard Mr. Muralidhar, learned Counsel for the appellant and learned Counsel appearing for the State, we set aside the impugned order of the High Court and direct that the High Court would do well in disposing of the Criminal Appeal No 342 of 1998 within a period of three months from today.

4. This appeal stands allowed accordingly.