

**SUPREME COURT OF INDIA**

State of Madhya Pradesh

Vs.

Bharat

CrI.A.No.80 of 2009

(Tarun Chatterjee and H.L.Dattu JJ.)

16.01.2009

**ORDER**

1. Leave granted.

2. A limited notice was issued by this Court on 9<sup>th</sup> of May, 2008, which runs as under:

“Issue notice.

Notice to state as to why cryptic order passed by the High Court should not be set aside by remitting the matter to the High Court to be decided in accordance with law.”

3. After notice, Ms. K. Sarada Devi entered appearance and has appeared before us also. We have heard the learned Counsel for the parties and also examined the impugned order of the High Court and also the limited notice issued by this Court. We are of the view that the impugned order of the High Court may be set aside and the matter may be remitted back to the High Court to decide Misc. CrI. Case No. 1553/2006 on merits in accordance with law afresh within a period of two months from the date of production of a copy of this order to the High Court.

4. Accordingly, the impugned order of the High Court is set aside. The appeal is thus allowed with no order as to costs.