

SUPREME COURT OF INDIA

Niranjan Lal Chhipa

Vs.

Ajay Kumar Joshi

Crl.A.No.594 of 2013

(A.K.Patnaik and Sudhansu Jyoti Mukhopadhaya JJ.)

15.04.2013

ORDER

1. Leave granted.
2. We have heard learned counsel for the parties.
3. By the impugned judgment, the High Court has quashed the order dated 30.06.2012 passed by the Sessions Judge (Fast Track) Bandikui, District Dausa and directed the Sessions Judge to decide the Revision Petition filed against the order dated 19.05.2012 of the learned Chief Judicial Magistrate, Dausa in connection with F.I.R.No.561 of 2011.
4. The main grievance of the appellant is that before the impugned order was passed by the High Court quashing the order passed by the Sessions Judge in his favour, no hearing was granted to the appellant, though he was impleaded as respondent in the Criminal Revision Petition before the High Court.
5. Considering the fact that the appellant was not given a hearing by the High Court before it passed the impugned order, we set aside the impugned order dated 26.07.2012 of the High Court passed in S.B.Criminal Revision Petition No.737 of 2012 and remand the matter back to the High Court for its fresh hearing and disposal. Criminal Appeal is allowed accordingly.