

Anwar Hussain vs State Of Uttar Pradesh And Anr. on 16 February, 1981

Equivalent citations: AIR1981SC2072, 1982CRILJ1700, (1982)1SCC491, AIR 1981 SUPREME COURT 2072, 1982 (1) SCC 491, 1982 SCC (CRI) 263, 1981 SCC(CRI) 672

Author: D.A. Desai

Bench: A.P. Sen, D.A. Desai

JUDGMENT

D.A. Desai, J.

1. It is admitted that in the appeal against acquittal of present appellant, Anwar Hussain filed by the State of U.P., no notice was served upon him and his acquittal was set aside by the High Court at his back and without hearing him. This is clearly impermissible. Accordingly the appeal is allowed and the matter is remitted to the High Court to dispose of the State appeal filed in High Court in accordance with law after notice to the present appellant