



accused. Against this order, the appellant had filed criminal revision which was allowed and the summoning order was quashed. The Trial Court was directed to consider the matter afresh. Thereafter, the Magistrate passed another order summoning the appellants again. It is this order which was challenged before the High Court. The appellants had made various submissions on the basis of which the order was sought to be challenged. These submission are recorded in the impugned order as well. Further, we find that the same was not dealt with by the High Court which has dismissed the petition of the appellants with a non-speaking order. Such an order is unsustainable in law as it has not dealt with the contentions raised by the appellant.

We, therefore, set aside the impugned orders and remit the cases to the High Court to decide the petitions of the appellants afresh by passing speaking orders.

Appeals disposed of in the aforesaid terms.

....., J.  
[ A.K. SIKRI ]

....., J.  
[ ASHOK BHUSHAN ]

New Delhi;  
May 05, 2017.

ITEM NO.3

COURT NO.8

SECTION II

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Crl.) No. 7461/2016  
(Arising out of impugned final judgment and order dated 11/01/2016  
in CRMA No. 16297/2014 passed by the High Court of Judicature at  
Allahabad)

RAKESH

Petitioner(s)

VERSUS

STATE OF U.P. AND ANR.

Respondent(s)

(With appln. (s) for c/delay in filing SLP, exemption from filing  
O.T., permission to file additional documents, interim relief and  
office report)

WITH

SLP(Crl) No. 8047/2016

(With appln(s) for c/delay in filing SLP, exemption from filing  
O.T., permission to file additional documents and Office Report)

Date : 05/05/2017 These petitions were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE A.K. SIKRI  
HON'BLE MR. JUSTICE ASHOK BHUSHAN

For Petitioner(s) Mr. Ashutosh Dubey, Adv.  
Mr. Abhishek Chauhan, Adv.  
Mr. V. S. Rawat, Adv.  
Mr. Sushil Pandey, Adv.

For Respondent(s) Mr. Rana Ranjit Singh, Adv.  
Mr. Vivek Kumar Singh, Adv.  
Mr. Abhishek Chaudhary, Adv.  
Mr. S. Mahendran, Adv.

UPON hearing the counsel the Court made the following  
O R D E R

Delay condoned.

Leave granted.

The appeals are disposed of in terms of the signed  
order.

(Nidhi Ahuja)  
Court Master

(Mala Kumari Sharma)  
Court Master

[Signed order is placed on the file.]