

IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.95/2017

(@Petition(s) for Special Leave to Appeal (Crl.) No(s).9584/2016)

DR.RASHID JAMIL SIDDIQUI Appellant(s)  
VERSUS  
DR. SADIYA HUSAIN AND ANR. Respondent(s)

O R D E R

Leave granted.

We have heard the learned counsel appearing for the appellant and the learned counsel appearing for the respondents.

It appears that in this matter, as has been submitted by Ms. Kamini Jaiswal, learned counsel appearing for the appellant, that the application filed by the appellant under Section 482 of the Code of Criminal Procedure, 1973 being Misc. Criminal Case No.3608 of 2011 has been dismissed by the High Court without hearing her client. Therefore, it appears that the High Court passed the impugned order in violation of natural justice.

Accordingly, we feel that the impugned order cannot sustainable in the eyes of law and deserves to be set aside.

In view of the above, we set aside the impugned order passed by the High Court with a direction that the matter should be heard out afresh after giving a chance of hearing to the appellant - herein and dispose of the same within a period of two months from the date of communication of this Order.

As prayed by the learned counsel appearing for the respondents - we direct that the appellant shall not seek unnecessary adjournments in the matter so as to enable the said Court to dispose of the matter within the stipulated period as directed by us.

The appeal is disposed of in the afore-stated terms.

.....J  
(PINAKI CHANDRA GHOSE)

.....J  
(ROHINTON FALI NARIMAN)

NEW DELHI;  
13TH JANUARY, 2017.

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(s). 9584/2016

(Arising out of impugned final judgment and order dated 30/06/2016 in MCRLC No. 3608/2011 passed by the High Court of M.P. at Jabalpur)

DR.RASHID JAMIL SIDDIQUI

Petitioner(s)

VERSUS

DR. SADIYA HUSAIN AND ANR.

Respondent(s)

(With appln.(s) for permission to file additional documents)

Date : 13/01/2017 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE PINAKI CHANDRA GHOSE  
HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN

For Petitioner(s)

Ms. Kamini Jaiswal, Adv.  
Mr. Talha Abdul Rahman, Adv.  
Mr. Kushagra Pandey, Adv.  
Mr. Jatinder P. Singh, Adv.  
Ms. Damyanti Juneja, Adv.  
Mr. Sudhansu Palo, AOR

For Respondent(s)

Mr. Harmeet Singh Ruprah, AOR  
Mr. Abhinav Shrivastava, Adv.

Ms. Prachi Mishra, Adv.  
Mr. C.D. Singh, AOR  
Chaitanya, Adv.

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

Leave granted.

The appeal is disposed of in terms of the signed order.

Consequent upon the disposal of the Appeal, pending application filed in the matter is also disposed of.

(VISHAL ANAND)  
COURT MASTER

(SNEH LATA SHARMA)  
COURT MASTER

(Signed Order is placed on the file)

