

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO. 1779 OF 2008
(Arising out of S.L.P. (Crl.) No.4885 of 2006)

S. Raghu RamaiahAppellant

Versus

The State of Andhra PradeshRespondent

J U D G M E N T

Dr. ARIJIT PASAYAT, J.

1. Leave granted.
2. Challenge in this appeal is to the judgment of a Division Bench of the Andhra Pradesh High Court dismissing Criminal Appeal No.1922 of 1999 filed by the appellant against the judgment dated 25.11.1999 in CC

No.11/98 by learned V Additional Special Judge (SPE & ACB Cases)-cum-V-Additional Chief Judge, City Civil Court, Hyderabad.

3. The appellant faced trial for offence punishable under Section 7, 13 (1)(d) read with 13(2) of the Prevention of Corruption Act, 1988 (in short the 'Act'). It was alleged that the appellant while working as a Junior Assistant in the office of Commissioner, Endowments, Ananthapur had received illegal gratification after making a demand from PW-1. The trial Court with reference to the evidence of the witnesses found the appellant guilty. The appellant questioned the conviction by preferring an appeal as noted above. By the impugned judgment the High Court dismissed the appeal. Apart from the submissions relating to the merits of the case learned counsel for the appellant submitted that after referring to the evidence and submissions, the High Court disposed of the appeal by a cryptic and non-reasoned order. Learned counsel for the respondent-State on the other hand submitted that though elaborate discussion had not been made, the High Court has referred to the evidence and submissions and thereafter found no merit in the appeal.

4. The only conclusion arrived at by the High Court after referring to the evidence and arguments is as follows:

“After carefully going through the evidence placed by the prosecution and the judgment of the Court below, I find no grounds to interfere with the conviction and sentenced imposed by the Court below.”

5. Out of 14 pages of the judgment as appearing in the paper-book except the “quoted above” there is no discussion about the merits of the case. This certainly is not an appropriate way to deal with a criminal appeal. Therefore, without expressing any opinion on the merits of the case, we set aside the impugned judgment and remit the matter for a fresh consideration in accordance with law. Since the matter is of the year 1999, we request the High Court to explore the possibility of disposing of the appeal within four months from today.

6. The appeal is allowed to the aforesaid extent.

.....J.
(Dr. ARIJIT PASAYAT)

.....J.
(Dr. MUKUNDAKAM SHARMA)

New Delhi:
November 12, 2008