

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

Cr.M.P. No. 918 of 2015

Prathavi Pal Rai **Versus** Uday Krishan Ratrey

14/10/2015	Shri Pawan Kesharwani, Advocate under instructions of Shri Hemant Gupta, Advocate for the Applicant/ Appellant. The instant Cr.M.P. along with acquittal appeal has been filed against the judgment passed by the Judicial Magistrate First Class, Bilaspur, Chhattisgarh dated 21.9.2015 in Criminal Complaint Case No. 2596 of 2014 whereby and whereunder learned trial Court acquitted the Respondent for the charges framed under Section 138 of the Negotiable Instrument Act giving him benefit of doubt. The instant Cr.M.P. followed by acquittal appeal has been preferred within its limitation. For the purposes of leave to appeal followed by acquittal appeal under Section 378 sub-section (4) of the Code of Criminal Procedure, 1973 (for short 'the Code') against the judgment passed by the trial Court, I have perused the impugned judgment, the statements of witnesses and other documents annexed with Cr.M.P. followed by the acquittal appeal. On due consideration, this is a fit case where the leave to appeal should be granted. Consequently, the instant Cr.M.P. is allowed.	

Registry is directed to list the matter under the heading of acquittal appeal.

Registry is further directed to call for the record of Court below through usual and fax mode.

The Appellant is directed to pay process fee within seven days from today. Let notice be issued to the Respondent through usual and registered mode, returnable within four weeks alongwith copy of acquittal appeal and other annexed documents for the purposes of his representation in the matter.

List the matter for further hearing of the acquittal appeal on or after the date given in the notice to the Respondent for his appearance either in person or through his counsel and after receipt of record.

Sd/-

(Chandra Bhushan Bajpai)
Judge