

HIGH COURT OF CHHATTISGARH, BILASPUR
Order Sheet

CRMP No. 797 of 2014

- State Of Chhattisgarh Through Ps Gudhiyari, Distt. Raipur C.G.

---- Applicant/appellant

Versus

- Rakesh @ Gopi Patle S/o Chandrashekhar Patle Aged About 20 Years R/O Malevada, Post - Charegaon, Ps Lamta, Distt. Balaghat (M.P.) Present Address - Ashok Sahu, Pragati Nagar, Ashok Nagar Thana, Gudhiyari, Raipur, Distt. Raipur C.G.

---- Respondent

6-10-2015	Ms. Shobha Kashyap, Dy. Govt. Adv. for the applicant/appellant/State. On due consideration, default pointed out by the Registry is hereby over rules. Heard on application for condonation of delay in filing the instant CRMP followed by acquittal appeal. On due consideration, the application is allowed. Delay in filing the CRMP is condoned. Heard on Cr.M.P. for leave to appeal followed by acquittal appeal under sub-section (3) of Section 378 of the Cr.P.C. against the judgment passed by the Judicial Magistrate First Class, Raipur in Criminal Case No. 31/13 whereby and whereunder learned court below acquitted the respondent for the charges framed against him. For the purpose of leave to appeal, perused the impugned judgment, evidence adduced before the trial Court and the charge sheet.	

	On due consideration, in the opinion of this Court, it is a fit case for grant of leave to appeal. Consequently, instant Cr.M.P. is allowed. Leave to appeal is granted. Registry is directed to register the matter under the head of acquittal appeal. Call for the record of the Court below through usual and fax mode. On appellant's paying PF within 7 days, notice be issued to the respondent through usual and RAD mode returnable within 4 weeks for the purpose of representation. List the matter immediately after service report of respondent is received and record is available for further hearing. Cr.M.P. allowed. Sd/- Chandra Bhushan Bajpai Judge	
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