

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

**Cr.M.P. No. 317 of 2015**

State of Chhattisgarh **Versus** Rupesh Kumar Shriwas

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| 21/07/2015 | <p>Shri Chitranjay Patel, Government Advocate for the Appellant.</p> <p>Registry has pointed out the default. As per note of the Registry default has been removed but after the stipulated time granted by this Court.</p> <p>Heard.</p> <p>On due consideration, default pointed out by the Registry is overruled.</p> <p>Also heard on Cr.M.P., leave to appeal followed by acquittal appeal against the judgement dated 5.1.2015 passed by the Learned Sessions Judge, Korba, Chhattisgarh in Sessions Trial No.77 of 2011 whereby and whereunder the Respondent/ accused has been acquitted of the charge for the offence under Section 307 of the Indian Penal Code while affording the benefit of doubt.</p> <p>For the purposes of appreciation on leave to appeal, impugned judgment, evidence adduced by the prosecution and other documents filed alongwith charge-sheet perused.</p> <p>In the considered view of this Court, this is a fit case where the leave to appeal should be granted.</p> <p>Consequently, instant Cr.M.P. is allowed. Registry is directed to list the matter under the heading of acquittal</p> |  |

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| Nimmi | <p>appeal.</p> <p>Also heard on admission.</p> <p>The instant acquittal appeal is preferred within its limitation. It is admitted for hearing.</p> <p>Lower Court record be called for through usual and fax mode.</p> <p>Let notice be issued to the Respondent regarding his representation before this Court through usual and registered mode returnable within four weeks.</p> <p>The Appellant is directed to pay process fee within seven days from now.</p> <p>Registry is directed to list the matter for further hearing after service of notice on the Respondent and the lower Court records are received.</p> <p style="text-align: center;">Sd/-<br/><b>(Chandra Bhushan Bajpai)</b><br/>Judge</p> |  |
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