

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

Cr.M.P. No. 315 of 2015

State of Chhattisgarh **Versus** Surendra Singh @ Lucky

21/07/2015	Shri Chitranjay Patel, Government Advocate for the Appellant. As per note of the Registry default has been removed but after the stipulated time granted by this Court. Heard. On due consideration, default pointed out by the Registry is overruled. Also heard on Cr.M.P., leave to appeal followed by acquittal appeal as the Second Additional Sessions Judge, Manendragarh, District Korea, Chhattisgarh vide judgment dated 11.12.2014 passed in Sessions Trial No.88 of 2013 acquitted Respondent– Surendra Singh @ Lucky for the offence under Section 307 of the Indian Penal Code. For the purposes of leave to appeal, impugned judgment, evidence adduced by the prosecution and other documents filed alongwith charge-sheet perused. In the considered view of this Court, this is a fit case where the leave to appeal should be granted. Consequently, instant Cr.M.P. is allowed. Registry is directed to list the matter under the heading of acquittal appeal. The acquittal appeal is preferred after 28 days of its limitation.	

Nimmi	The Appellant filed an application to condone the delay. Lower Court record be called for through usual and fax mode. Let notice be issued to the Respondent regarding his representation before this Court through usual and registered mode returnable within four weeks. The Appellant is directed to pay process fee within seven days from now. Registry is directed to list the matter for hearing on I.A. No. 1 of 2015, an application for condonation of delay in filing the appeal as well as hearing on admission after service of notice on the Respondent and the lower Court records are received. Sd/- (Chandra Bhushan Bajpai) Judge	
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