

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

CRMP No. 610 of 2015

State of Chhattisgarh **Versus** Gautam Acharya

11/09/2015	Ms. Shobha Kashyap, Deputy Govt. Advocate for the applicant/appellant. The instant Cr.M.P. followed by acquittal appeal has been preferred after 19 days of its limitation. To condone the delay, I.A.No.1/15 has been filed. On due consideration, for the reasons mentioned in I.A.No.1/15, the same is allowed and the delay in filing the instant Cr.M.P. followed by acquittal appeal is hereby condoned. Heard on the instant Cr.M.P. for the prayer for leave to appeal as the instant petition filed under Section 378(3) of the Cr.P.C. for leave to appeal. For the purposes of leave to appeal, impugned judgment, charge sheet, evidence adduced before the trial Court and other documents are perused. The trial Court vide judgment dated 19-02-2015 acquitted the respondent for offence under Sections 7, 13(1) (घ) and 13(2) of the Prevention of Corruption Act, 1988. On due consideration, this Court is of the view that this is a fit case where leave to appeal be granted. Consequently, the instant Cr.M.P. is allowed and leave to appeal is granted. Registry is directed to register the matter under the head of Acquittal Appeal. The appellant is directed to pay P.F. within 7 days from now.	

Let notice be issued to the respondent through usual mode and registered mode, returnable within 4 weeks, for the purposes of his representation in the matter.

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

List the matter immediately after service to the respondent is complete for hearing on motion.

Sd/-

(Chandra Bhushan Bajpai)
Judge

Aadil