

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

Cr.M.P. No. 848 of 2015

Gopal Prasad Sahu **Versus** Dr. Amrit Lal Rohleder and Anr.

21/09/2015	None for the Applicant/ Appellant. Smt. Sobha Kashyap, Deputy G.A. for Respondent No.2/ State. Heard. The instant Cr.M.P. along with acquittal appeal has been filed against the judgment passed by the Judicial Magistrate First Class, Saraipali, District Mahasamund, Chhattisgarh dated 7.8.2015 in Criminal Complaint Case No. 52 of 2014 whereby and whereunder learned trial Court acquitted Respondent No.1 for the charges framed against him giving 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 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 Respondent No. 1 through usual and registered mode for the purposes of his representation in the matter.

List the matter for further hearing in the acquittal appeal immediately after the service of notice on Respondent No. 1 is complete.

Sd/-

(Chandra Bhushan Bajpai)

Judge