

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No. 782 of 2016

- Anil Khandelwal S/o Late Shri Dashrath Lal Khandelwal Aged About 36 Years R/o Uslapur Road, Beside 36 City Mall, Mungeli Road, Bilaspur Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through Station House Officer, Police Station Civil Lines, District Bilaspur Chhattisgarh.
2. Vicky @ Manohar Singh S/o Vansh Bahadur Singh Aged About 19 Years R/o Madhuban Nariyal Kothi, Police Station Kotwali, District Bilaspur Chhattisgarh.
3. Vijay Chaudhary S/o Moti Lal Chaudhary Aged About 19 Years , R/o Mannu Chowk, Tikrapara, P.S. City Kotwali, District Bilaspur Chhattisgarh.

---- Respondent

For Petitioner	Mr. Praveen Das, Advocate
For Respondent /State	Mr. Vivek Sharma, Government Advocate

Hon'ble Shri Justice Prashant Kumar Mishra
Hon'ble Shri Justice Chandra Bhushan Bajpai

Order On Board

29/7/2016

1. Heard.
2. This is an application under Section 372 of the Code of Criminal Procedure seeking leave to appeal against the judgment of acquittal rendered by Third Additional Sessions Judge, Bilaspur, preferred by the son of the deceased.
3. It is argued that despite there being overwhelming evidence in

the form of T.I. parade duly proved by PW-6 Jai Uraon and PW-3 Vimla Devi, the trial Court has recorded perverse finding to acquit the accused persons.

4. Having seen the papers, this Court is satisfied that leave to appeal deserves to be granted.
5. Accordingly, the CRMP is allowed.
6. Let regular acquittal appeal be registered and notice thereof be sent to the respondents on payment of P.F. as per rules.
7. It is made clear that if the respondents avoid acceptance of notice, this Court shall proceed to invoke Section 390 of Cr.P.C. to secure their presence.

Sd/-

Sd/-

Judge

Judge

(Prashant Kumar Mishra)

(Chandra Bhushan Bajpai)

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