

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

CRMP No. 124 of 2015

Sunil Salunke **Versus** Smt. Reeta Chhabra

16/09/2016	Shri Adil Minhaj, Advocate for the applicant/appellant. Shri R.S.Patel, Advocate for the respondent. Heard the instant Cr.M.P. followed by acquittal appeal for grant of leave under Section 378 (4) of the Code of Criminal Procedure, 1973 (in short 'the Code'). The applicant had preferred acquittal appeal against the order passed by the Court below in Criminal Case No.237/13 (Sunil Salunke Vs. Smt. Reeta Chhabra) against the order dated 16-12-2013 wherein the trial Court dismissed the said complaint fixed for complainant's evidence for want of prosecution, also ordered for the discharge of conditions of bail. Against the said order, the applicant/appellant had preferred Criminal Revision No.04/14. The Sessions Judge vide order dated 03-12-2014 holding that the revision is not maintainable, declined to interfere and dismissed the said revision. The applicant/appellant preferred the instant Cr.M.P. followed by acquittal appeal. The delay in filing the instant Cr.M.P. has already been condoned vide order dated 26-03-2015. Perused the order passed by the trial Court, also perused the documents annexed along with the instant Cr.M.P. On due consideration, in view of this Court, this is a fit case where leave to appeal should be granted. Consequently, the instant Cr.M.P. is allowed.	

Registry is directed to register the matter under the head of Acquittal Appeal.

Record of the Court below is available.

Registry is directed to list the instant acquittal appeal for hearing on motion after two weeks.

The Cr.M.P. disposed of.

Sd/-
(Chandra Bhushan Bajpai)
Judge