

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No. 842 of 2016

- State Of Chhattisgarh Through The Incharge Police Outpost Dindo, Police Station Triknoda, District Balrampur Ramanujganj Chhattisgarh. Civil District Surguja (Ambikapur) Chhattisgarh.

---- Petitioner

Versus

- Lalsai Pando S/o Ramcharan Pando Aged About 45 Years R/o Village Chera, Police Outpost Dindo, Police Station Trikonda, District Balrampur Ramanujganj Chhattisgarh.

---- Respondent

For Applicant Shri Vivek Sharma, Government Advocate

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

Order On Board

09/09/2016

1. This is an application seeking leave to appeal against the judgment of acquittal passed by the Additional Sessions Judge, Ramanujganj acquitting the accused from the charges under Section 302 IPC.
2. Having heard learned counsel for the applicant and perusal of the papers annexed with the application, particularly the statement of PW-5 Shivbrat and PW-6 Ramjeet, who are witnesses to the extra judicial confession, the leave to appeal deserves to be granted. Accordingly, the CRMP is allowed.

3. Let regular acquittal appeal be registered and notice thereof be issued to the accused on payment of process fee as per rules.
4. It is made clear that if the accused/respondent fails to enter into appearance before this Court, this Court shall proceed to invoke Section 390 of Cr.P.C. to secure his presence.

Sd/-

Judge

Prashant Kumar Mishra

Sd/-

Judge

Chandra Bhushan Bajpai

Nirala