

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

Cr. M. P. No. 978 of 2016

Anuk Das **Vs.** Paduman Tiwari & others

04.07.2017	Mr. Sunil Tripathi, counsel for the petitioner. Mr. Parag Kotecha, counsel for the respondent. Heard on I.A.No. 1 of 2016 for condonation of delay in filing the appeal. It is submitted by the counsel for the petitioner that a private complaint brought by the petitioner was dismissed in default by the trial Court on 29.06.2017. Against that order, the petitioner has preferred a revision being Criminal Revision No.49 of 2017 before the Court of Second Additional Sessions Judge, Manendragarh, which was decided on 29.05.2016 and the said revision was dismissed. The petitioner then brought Cr.M.P. No. 891 of 2016 before this Court. The said petition was dismissed as withdrawn by order dated 19.08.2016 with liberty to file appropriate appeal under the relevant provisions of Code of Criminal Procedure. Hence the petitioner has filed this acquittal appeal and this case is listed as Cr.M.P. No.978 of 2016 for for grant of leave u/s 278(4) of Cr.P.C. Counsel for the respondents have opposed the application for condonation of delay and the arguments submitted in this behalf. Considering the facts and circumstances of the case being prescribed by the petitioner against the respondents, it is noticed that the petitioner has made sufficient efforts so far and is still interested in prosecuting the case against the respondents. Therefore, looking to the bonafide of the petitioner, the application for condonation of delay is allowed. The delay is condoned.

R a o	Accordingly, leave to appeal is granted. Office is directed to register this case as regular acquittal appeal and list it in due course. Sd/- Rajendra Chandra Singh Samant JUDGE
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