

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

CRMP No. 1421 of 2018State of Chhattisgarh **Vs.** Jai Prakash Rathia @ Liti & others

04.10.2018	Mr. Vinod Kumar Tekam, Panel Lawyer for the State/ petitioner. Heard on I.A. No. 01/2018, application for condonation of delay in filing the petition. For the reasons mentioned in the application and as held by Hon'ble the Apex Court in the matter of State of Haryana Vs. Chandra Mani & others reported in (1996) 3 SCC 132, the delay of 59 days in filing the petition is condoned. Also heard on application for grant of leave to appeal filed under Section 378(3) of the Code of Criminal Procedure, 1973. Looking to the entire evidence adduced by the prosecution, there is evidence against respondent No. 1- Jai Prakash Rathia. So far as the other respondents are concerned, there is no connecting piece of evidence against respondents No. 2 to 7 and they are involved in crime in question on the basis of one discovery statement of Jai Prakash Rathia. Accordingly, application for grant of leave to appeal against respondent No. 1- Jai Prakash Rathia is allowed and application for grant

of leave to appeal against respondents No. 2 to 7 stands rejected.

Registry is directed to register the case as regular Acquittal Appeal.

Issue notice to respondent No. 1 on payment of PF within a week.

Notice be made returnable within six weeks.

Call for the record of the court below within four weeks.

List the case on 4th December, 2018 for further orders.

**Sd/-
(Ram Prasanna Sharma)
Judge**