

CRA-S-491-SB-2015 (O&M)
Date of decision: 13.07.2018

Ishwar Singh

...appellant

Versus

Suresh and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Surinder Gaur, Advocate
for the appellant.

Mr. Johan Kumar, Advocate
for respondent No.1.

Mr. Vikas Malik, DAG, Haryana.

RAJBIR SEHRAWAT, J. (ORAL)

The present appeal has been filed against the order of acquittal dated 10.10.2014 passed by Sub-Divisional Judicial Magistrate, Meham whereby, the accused was acquitted by the charge.

Notice was issued.

Learned counsel for respondent No.1/accused relied upon the judgment of this Court in 2013(2) R.C.R.(Criminal) 1005 titled as M/s Tata Steel Ltd. Vs. M/s Atma Tube Products Ltd. and another, to contend that the appeal against acquittal in an FIR case is not maintainable before the High Court.

In view of the above, the present appeal is dismissed as not maintainable. However, since the appellant has been prosecuted in the present appeal before this Court, therefore, the appellant is granted liberty to file the appeal before the Sessions Court in accordance with law.

(RAJBIR SEHRAWAT)
JUDGE

13.07.2018

Hemlata

Whether speaking/reasoned
Whether reportable

Yes / No
Yes / No