

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

CRA No.701 of 2018

State of Chhattisgarh **Versus** Manoj Agrawal

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16/01/2019	Mr. Lav Sharma, PL for State. Mr. Ishwar Jaiswal, Advocate for respondent. Heard. This is an appeal filed for enhancement of sentence of imprisonment imposed upon the respondent by the Court of Judicial Magistrate First Class, Sakti, District-Janjgir-Champa. Under the provisions of Section 377 of CrPC, the prosecutor is empowered to file the appeal for enhancement of sentence before the Court of Sessions and the appeal can be filed before the High Court only in case the sentence is passed by a Sessions Court. After due consideration, it appears that this appeal has been erroneously filed before this Court, therefore, the appeal is disposed of with a direction that the appellant has liberty to file appeal for enhancement of sentence before the Court of Session. Accordingly, the appeal is disposed off. Record of the trial Court be remitted back to the concerned Court. Sd/- (Rajendra Chandra Singh Samant) Judge
Nisha	

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