

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

CRMP No. 1798 of 2018

Maulana Basher **Versus** Md. Imtiyaz Khan @ Saddam

11-04-2019	Mr. Ajay Mishra, counsel for the appellant. Mr. Vikas Shrivastava, PL for the State. Heard. The office note shows that the appeal filed by the State the application for grant of leave filed under CRMP No.446 of 2019 has already been dismissed in view of peremptory order passed in that case. Since the appeal has been filed by the father of the deceased, who is victim as defined under Section 2 (wa) of Cr.P.C. and in view of recent judicial pronouncement of the Hon'ble Supreme Court in the case of Mallikarajun Kodagali (Dead) represented through Legal Representatives V. State of Karnataka & Ors. decided on 12.10.2018, the victim in the present case is not required to seek leave to appeal. Accordingly, the CRMP is disposed off and the case be registered as an acquittal appeal and be listed for further orders.
Pawan/ajay	Sd/- (Manindra Mohan Shrivastava) Judge Sd/- (Vimla Singh Kapoor) Judge