Sr. No. 229
After Notice

HIGH COURT OF JAMMU AND KASHMIR
AT JAMMU
(THROUGH VIRTUAL MODE)

SLA No. 45/2017
In
CONCR No. 41/2017

State .....Petitioner(s)

Through :- Mr. Aseem Sawhney, AAG

V/s

Sanjay Singh .....Respondent(s)

Through :-

Coram: HON'BLE MR. JUSTICE SANJAY DHAR, JUDGE

ORDER

CONCR No. 41/2017

Through the medium of the instant application, the petitioner is seeking condonation of delay in filing of the appeal against the impugned judgment dated 29.07.2016 passed by the learned Principal Sessions Judge, Udhampur.

For the reasons stated in the application, delay of 145 days in filing the appeal is condoned.

The application stands disposed of.

SLA No. 45/2017

The petitioner is seeking leave to file appeal against the impugned judgment dated 29.07.2016 passed by learned Principal Sessions Judge, Udhampur, whereby respondents have been acquitted in a case arising

out of F.I.R No. 269/2010 for offence under Section 307, 323, 325 RPC of Police Station, Udhampur

I have heard learned counsel for the appellant and perused the record.

Learned counsel for the appellant has submitted that while acquitting the accused, learned trial Court has disbelieved the statements of eye witnesses on flimsy grounds.

Having regard to the submissions of learned counsel for the appellant, a case for grant of leave is made out.

Accordingly, the application is allowed and appellant is permitted to file appeal against the impugned judgment.

Main appeal be diarized.

Admit. Issue notice to the respondent.

Record of the trial Court be summoned.

Registry shall prepare the paper book and process the case for final hearing.

List on 05.03.2021.

(SANJAY DHAR)
JUDGE

Jammu
28.12.2020
Tarun

TARUN KUMAR GUPTA
2020.12.29 17:14
I attest to the accuracy and
integrity of this document