

HIGH COURT OF CHHATTISGARH, BILASPUR**CRMP No. 205 of 2019**

- State of Chhattisgarh, through Station House Officer, Police Station- Gole Bazar, District- Raipur (C.G.) ---- **Petitioner**

Versus

- Jogendra Kumar Taneja @ Jaggu, S/o Gopal Das Taneja, Aged about 28 years, R/o Village- Ravigram, Raipur, Gali No. 6, Police Station- Telibandha, District- Raipur (C.G.) ---- **Respondent**

For State/Petitioner : Shri Raghvendra Verma, Govt. Advocate.

Hon'ble Shri Justice Ram Prasanna Sharma

Order on Board**13/01/2020**

1. Heard on I.A. No. 01/2019, which is an application for condonation of delay in filing the petition.
2. On due consideration and for the reasons mentioned in the application, delay of 129 days in filing the instant petition is condoned.
3. Also heard on application for grant of leave to appeal filed under Section 378(3) of the Code of Criminal Procedure, 1973.
4. This petition is preferred against the judgment dated 2nd May, 2018 passed by Judicial Magistrate First Class, Raipur (C.G.) in Criminal Case No. 384/2010 wherein the said Court acquitted the respondent for charge under Section 224 of Indian Penal Code, 1860.
5. Charge-sheet was filed against the present respondent before the trial Court on 4th July, 2002. The respondent was charged on 12th March, 2012 and thereafter about 30 order sheets were written and summons were issued to the prosecution witnesses,

but no one appeared before the trial Court for examination. The trial Court terminated the proceedings that case cannot be kept sin-a-die and thereafter respondent was acquitted as there was no evidence on record against him. Direction of re-opening is not required, it is not a case where interference of this Court is required in the judgment of the trial Court. It is not a case where the respondent should be called for full consideration of this petition.

6. Accordingly, the application for grant of leave to appeal is rejected. Consequently, the petition stands dismissed at motion stage itself.

Sd/-

(Ram Prasanna Sharma)
Judge

Vasant