



HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

CRMP No. 2137 of 2023

Krishi Upaj Mandi Samiti Kawardha **Versus** Taran Chandrawanshi

21.09.2023	<p>Mr. Amrito Das, learned counsel for the appellant.</p> <p>Heard on I.A.No.1/2023, application seeking exemption from filing copy of exhibited documents and statement of witnesses.</p> <p>For the reasons stated in the application, the same is allowed.</p> <p>Heard on application for grant of leave to appeal under Section 378 (4) of the CrPC.</p> <p>Mr. Das, submits that despite of summons have been issued and the matter was fixed for prosecution evidence and at that stage the respondent/accused appeared before the learned Magistrate and thereafter he filed an application and raised legal objection by relying upon the judgment of Hon'ble Supreme Court in case of Krishi Upaj Mandi Samiti Vs. Shivshakti Khansari Udyog reported in 2012 (9) SCC 368 and on relying upon the said judgment the learned trial Court acquitted the respondent/accused. He further submits that the case law cited does not apply to the factum of the present case and the finding is bad in law.</p> <p>In view of above, application for leave to appeal is granted.</p> <p>Registry to register this case as an acquittal appeal and list thereafter.</p> <p style="text-align: right;">Sd/- (Sachin Singh Rajput) Judge</p>