

(2024) 05 J&K CK 0063

In the Jammu And Kashmir High Court

Case No : Criminal Special Leave Application No. 32 Of 2019, Criminal Appeal No. 2 Of 2019, Criminal Miscellaneous Case No. 586 Of 2019

State Of J&K

APPELLANT

Vs

Rakesh Kumar And Anr

RESPONDENT

Date of Decision : 30-05-2024

Acts Referred:

Citation : (2024) 05 J&K CK 0063

Hon'ble Judges : Rajnesh Oswal, J

Bench : Single Bench

Advocate : Vishal Bharti

Final Decision : Disposed Of

Judgement

Rajnesh Oswal, J

CrIM No. 586/2019

1. This is an application seeking condonation of delay in filing the acquittal appeal.

2. For the reasons stated in the application, the same is allowed. Delay in filing the appeal is condoned.

3. Application stands disposed of.

CrI LP No. 32/2019

4. This is an application seeking leave to file appeal against the judgment dated 31.12.2018 passed by the learned Principal Sessions Judge, Samba.

5. After having gone through the instant application and the judgment impugned, this Court feels that the evidence is required to be appreciated, which can be done only if the applicant is granted leave to file appeal.

6. As such, the present application is allowed. Leave granted.

CrI LP No. 32/2019

7. Application stands disposed of.

8. Appeal bearing CrIA(AS) No. 2/2019 is taken on board.

9. Notice to the respondents through SHO concerned. The SHO shall ensure that the notices are received back by this Court before the next date of hearing.

10. Call for the record of the trial court.

11. List on 14.08.2024.