
(2011) 09 UK CK 0060
In the Uttarakhand High Court
Case No : Appeal No. 54 of 2011

State of Uttarakhand

APPELLANT

Vs

Ram Kishore Saklani

RESPONDENT

Date of Decision : 20-09-2011

Acts Referred:

Penal Code, 1860 (IPC) — Section 201, 218, 221

Citation : (2011) 09 UK CK 0060

Hon'ble Judges : Prafulla C. Pant, J

Bench : Single Bench

Final Decision : Dismissed

Judgement

Prafulla C. Pant, J.—This is delay condonation application No. 1114 of 2011, for condonation of delay in filing the appeal against the judgment and order dated 15.06.2011, passed by Sessions Judge, Nainital, in Sessions Trial No. 191 of 2010.

2. Perused the affidavit filed with the application.

3. Delay condonation application is allowed. Delay is condoned.

4. Heard on leave to appeal, and perused the impugned judgment and order dated 15.06.2011, passed by the Sessions Judge, Nainital, in Sessions Trial No. 191 of 2010, whereby said court has acquitted the Respondent Ram Kishore Saklani from the charge of offences punishable u/s 201, 218, 221 Indian Penal Code, Police Station Kaladhungi.

5. The perusal of the impugned order shows that neither complainant P.W. 1 Sher Singh has supported the prosecution Story, nor P.W.2 Constable Dan Giri, nor P.W.3 Constable Satyendra Prasad Gangola, and Ors.s. Having gone through the impugned order, this Court finds that there was not sufficient evidence to hold the Respondent Ram Kishore Saklani guilty of charge of offences punishable u/s 201, 221, 218 Indian Penal Code.

6. In the above circumstances, leave to appeal application No. 107 of 2011, is rejected. Leave is refused. Appeal stands dismissed summarily.