

(3)

HIGH COURT OF CHHATTISGARH AT BILASPUR
DIVISION BENCH

CORAM: HON'BLE SHRI RAJEEV GUPTA, CJ.
HON'BLE SHRI SUNIL KUMAR SINHA, J.

Criminal Appeal No. 490 of 1997

Appellants

- 1 Kariya @ Sukh Vilas, s/o Lanja Kanwar, aged about 28 years r/o Darima
2. Ram Kumar @ Dadu, s/o Lanja Kanwar, aged about 24 years, r/o Darima, Police Station Ambikapur, Surguja (MP)

VERSUS

Respondent

State of MP through SHO PS Ambikapur, district Surguja

Appeal under Section 374 of the Cr.P.C

Present: Shri JS Baraik, counsel for the appellants.
Shri Arvind Dubey, Panel Lawyer for the State.

ORDER

(28th September, 2012)

The following order of the Court was passed by
Rajeev Gupta, C.J.

Shri Arvind Dubey, learned Panel Lawyer points out that both the appellants i.e. Kariya @ Sukh Vilas and Ram Kumar @ Dadu are appellants in Criminal Appeal No.135 of 1997 also, which was filed first in time against the same impugned judgment of their conviction and sentence dated 18.11.1996, passed by the

(39)

Sessions Judge, Surguja, Ambikapur in Sessions Trial
No.285/1995.

2) As more than one appeal at the behest of the same
appellant/appellants is not maintainable, this appeal i.e. Criminal
Appeal No.490/1997 having been filed later in point of time is
liable to be dismissed as not maintainable.

3) The appeal, therefore, is dismissed as not maintainable
without any prejudice to the appellants' case in Criminal Appeal
No.135/1997 on merits.

Sd/-
Chief Justice

Sd/-
SUNIL KUMAR SINHA
Judge

subbu