

SINGLE BENCH

CG 15/1 (1) (4)

IN THE HIGH COURT OF CHHATTISGARH AT

BILASPUR

Cr. M. P. No. 801 OF 2014

PETITIONERS

Accused

:1. Rathu Ram, son of Sadh Ram,
aged about 50 years,

2. Saroj Kumar, son of Rathu
Ram Tandon, aged about 18
years,

3. Chena Bai @ Beladulkin,
W/o. Rathu Ram, aged about
47 years,

All resident of village Ketha,
P.S. Jejipur, District Janjgir
Champa (C.G.)

R No. 801/14
Presented by Shri. D. K. Singh
Dated. 05/01/14

VERSUS

RESPONDENT

: State of Chhattisgarh,
through Police Station
Jejipur, District Janjgir
Champa (C.G.)



CRIMINAL MISCELLANEOUS APPLICATION
UNDER SECTION 482 OF Cr. P. C. FOR
MODIFICATION OF ORDER DATED 09.04.2014/
EXTENSION OF TIME FOR COMPLIANCE OF
JUDGMENT DATED 09.04.2014

Singh



(17)

HIGH COURT OF CHHATTISGARH AT BILASPUR

Single Bench:- Hon'ble Shri Justice P. Sam Koshy

Cr.M.P. No. 801 of 2014

Petitioners

Rathu ram and others

VERSUS

Respondent

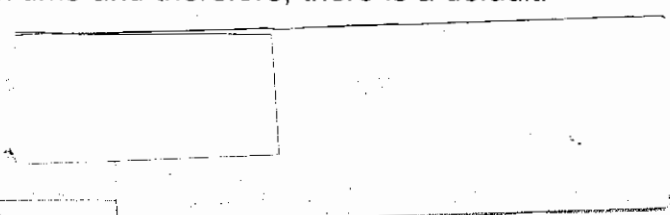
State of Chhattisgarh

Present: Shri K. K. Dewangan, counsel for the petitioners
Shri Sangeeta Mishra, PL for the State/respondent.

Oral Order
(31.10.2014)

By way of the instant petition under Section 482 Cr.P.C, the petitioners have sought for extension of time in respect of the direction given by this court while disposing of Criminal Appeal No.359/03 dated 9.4.14. In the said Criminal Appeal, the present petitioners who were the appellants therein, had challenged the judgment of conviction and the order of sentence dated 17.02.2003 passed by the Additional Sessions Judge, Shakti, in Sessions Trial No. 506/2001. In the said Sessions Trial, the petitioners were convicted and sentenced to undergo RI for 3 years with fine of Rs.1500 and to undergo RI for 3 years with fine of Rs. 1500 under Section 325/34 IPC and to undergo RI for 3 months with fine of Rs. 1500 under Section 325/34 IPC. However, while partly allowing the appeal, the conviction of the petitioners was maintained and the sentence part was reduced to the period already undergone by them and the fine amount imposed was enhanced from Rs.2,000 to Rs.3,000 for each of the petitioners.

2. According to counsel for the petitioners, this order of fine amount which was to be deposited within a period of 2 months was not communicated to the petitioners within time and therefore, there is a default.





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Thereafter, the petitioners have received the information that a warrant has been issued and the appeal has also been decided by this Court on 09.04.2014. That subsequently when they came to know about the judgment of this Court and have gone to deposit the fine amount, it was already beyond the period prescribed. Pursuant to the order passed by this Court on 09.04.2014, the petitioners have now filed the instant 482 petition seeking for extension of the time.

3. Considering the total facts and circumstances of the case, particularly keeping in view the judgment passed by this Court in Cr. A. No. 359/03, it is ordered that the petitioners shall further be granted another period of 30 days' time from the receipt of copy of this order to deposit the fine amount and in case the petitioners take appropriate steps in depositing the fine amount within the extended period of 30 days, the Court shall take due cognizance of the same and after accepting the same, the Court shall pass appropriate orders.

4. With the above observation, the instant Cr.M.P stands allowed and disposed of.

Sd/-
P. Sam Koshy
Judge