

SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
	<u>29.07.2022</u>		<p>SPLA No. 126 of 2022 With CRLA No. 287 of 2022 <u>Hon'ble Alok Kumar Verma, J.</u></p> <p>The proposed Criminal Appeal along with an application under Section 378(4) of the Code of Criminal Procedure, 1973, has been filed by the victim against the judgment dated 13.07.2022, passed by the Judicial Magistrate/First Additional Civil Judge (Junior Judge) Kashipur, District Udham Singh Nagar in Criminal Case No. 799 of 2013 (Old No. 229 of 2011), "State of Uttarakhand vs. Abhishek Saxena and others", whereby, the respondent no. 2-accused has been acquitted from the offence punishable under Sections 498A, 323, 504, 506 I.P.C. and under Section 3/4 of the Dowry Prohibition Act, 1961.</p> <p>Heard Mr. P.C. Petshali, the learned counsel for the applicant and Mr. Pratiroop Pandey, the learned A.G.A. for the State.</p> <p>The learned counsel appearing for the applicant-victim submitted that the present proposed appeal has been wrongly filed before this Court, whereas, the appeal should be filed before the concerned Sessions Judge. Therefore, the learned</p>

			<p>counsel appearing for the victim requested to permit the victim to withdraw the proposed appeal with liberty to file an appeal before the concerned Sessions Judge.</p> <p>The State has no objection.</p> <p>The application under Section 378 (4) of the Code of Criminal Procedure along with present proposed appeal are dismissed as withdrawn by granting liberty to file criminal appeal before the competent court, in accordance with law.</p> <p>The learned counsel for the victim requested to direct the Registry to return the certified copy of the document to the victim.</p> <p>The Registry is directed to return the certified copy of the relevant document to the victim, in accordance with Rules.</p> <p style="text-align: right;">(Alok Kumar Verma, J.) 29.07.2022</p> <p>SB</p>
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