



2025:CGHC:39098



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CRMP No. 1369 of 2023

Sanjay Kumar Jain S/o Late Shri Hukum Chand Jain Aged About 58 Years
Proprietor - M/s. Vardhmaan Tiles And Marbles Kunkuri, R/o Village And Post
- Kunkuri, Tehsil - Kunkuri, District - Jashpur (Chhattisgarh) (Complainant)

... **Petitioner**

versus

Thadeyush Lakra S/o Shri Patras Lakra R/o Village And Post - Jamchua,
Tehsil - Kunkuri, District Jashpur (Chhattisgarh) (Accused)

... **Respondent**

For Petitioner	: Mr. Surfaraj Khan, Advocate.
For Respondent	: None.

SB: Hon'ble Shri Justice Sanjay S. Agrawal

Order on Board

06.08.2025

- 1) During the pendency of this petition, the petitioner has prayed for withdrawal of this petition with liberty to question the legality and propriety of the impugned judgment dated 07.02.2023 passed by the Judicial Magistrate First Class, Kunkuri, District Jahspur (C.G.) in Criminal Case No.51/2021, before the learned Sessions Court under Section 372 of Cr.P.C., in view of principles laid down by Hon'ble Supreme Court in the matter of ***M/s Celestium Financial vs. A. Gnanasekaran Etc.***, reported in ***2025 INSC 804***.



- 2) Having considered the aforesaid submissions of the counsel appearing for the petitioner in the light of the aforesaid principles laid down by the Supreme Court in the above referred matter, the instant petition stands disposed of with a direction that, if the petitioner questions the impugned judgment of acquittal in appeal within a period of 30 days from today, the concerned Sessions Judge would not insist upon the limitation while deciding the same and will proceed to decide the appeal, in accordance with law.
- 3) Registry shall return the certified copy of the impugned judgment and relevant documents to counsel for the petitioner after obtaining the photocopy of the same and, shall remit the record to the concerned Court forthwith.
- 4) Accordingly, the petition is disposed of.

Sd/-

(Sanjay S. Agrawal)
JUDGE