

IN THE HIGH COURT OF JHARKHAND AT RANCHI

Acquittal Appeal (C) No. 8 of 2025

Bhawna Jha Appellant(s)

Vrs.

The State of Jharkhand & Ors. Respondent(s)

With

Acquittal Appeal (C) No. 12 of 2026

Surendra Choudhary Appellant(s)

Vrs.

The State of Jharkhand & Anr. Respondent(s)

.....

CORAM: HON'BLE MR. JUSTICE RAJESH KUMAR

For the Appellant(s) : Mr. Rahul Kumar, Advocate

: Mr. Vishal Srivastava, Advocate

For the State : Ms. Sharda Kumar, A.C to Mr. Pankaj Kumar, PP

I.A. No. 8223 of 2026 in Acquittal Appeal (C) No. 08 of 2025

With

I.A. No. 6672 of 2026 in Acquittal Appeal (C) No. 12 of 2026

06/19.08.2026 These interlocutory applications in the respective appeals have been filed for converting the acquittal appeals into criminal revision preferred under Section 397 and 401 of the B.N.S.S., 2023.

2. The statute does not provide for a second appeal rather the mandate of Section 372 Cr.P.C. is clear that only one appeal is provided to the victim against the judgment of acquittal, in respect of an offence of lesser gravity or inadequate compensation.

3. Since, the right to appeal is a creation of statute, and if the statute does not provide the second appeal, such second appeal cannot be filed by referring to one or another judgment or by relying upon one or another philosophy. The forum and right to appeal have to be created and conferred by the statute which is in the realm of the Parliament. In the present case, the parliamentary law is loud and clear that only one appeal has been provided.

4. In that view of the matter, permission is accorded to the learned counsel for the appellants to convert these acquittal appeals into criminal revision.

5. Both the aforesaid I.A.s in respective appeals are allowed and accordingly, disposed of. Office is directed to proceed accordingly.

(Rajesh Kumar, J.)

19.08.2026
A. Mohanty

Uploaded
____/____/2026