

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH  
AT JAMMU  
(Through Virtual Mode)**

SLA No.46/2018  
c/w  
CONCR No.38/2018  
CRR No.10/2018

State .....Petitioner(s)/Appellant(s)

Through :- Mr. Dewakar Sharma, Dy. AG in CONCR No.  
38/2018, SLA No.46/2018.  
Mr. Navyug Sethi, Advocate in CRR  
No.10/2018.

V/s

Mohinder Pal and another

....Respondent(s)

Through :- Mr. Varut Kumar Gupta, Advocate.

**Coram: HON'BLE MR. JUSTICE SANJAY DHAR, JUDGE**

**ORDER**  
**07.02.2022**

**CONCR No.38/2018**

This is an application seeking condonation of delay in filing the appeal against the judgment dated 24.01.2018 passed by learned Additional Sessions Judge, Kathua. As per the office report the appeal is delayed by twenty eight days. In the application seeking condonation of delay, the appellant has submitted that some time was consumed in examining and processing the matter at different levels before grant of sanction for filing the appeal against the impugned judgment was accorded and as a result of this, there was delay in filing the appeal.

The petitioner-appellant has sufficiently explained the delay in filing the appeal. Accordingly, the same is condoned.

Application stands disposed of.

**SLA No.46/2018**

This is an application seeking leave to file acquittal appeal against the judgment dated 24.01.2018 passed by learned Additional Sessions Judge, Kathua.

It is contended by learned counsel for the State that learned trial Court while passing the impugned judgment has ignored the material evidence which was brought on record by the prosecution.

Having regard to the contentions raised by learned counsel for the appellant, a case for grant of leave to file appeal against the impugned judgment is made out.

Accordingly, the application is allowed and the appellant is permitted to file the appeal against the impugned judgment.

Application stands disposed of.

The main appeal be registered and be listed for admission along with CRR No.10/2018 on 08.04.2022.

**(Sanjay Dhar)**  
**Judge**

Jammu:  
07.02.2022  
*Surinder*