

**IN THE HIGH COURT OF MANIPUR
AT IMPHAL**

GCA No. 1 of 2023

State of Manipur

.....Appellant/s

- Versus -

Md. Idris Ali

.... Respondent/s

BEFORE
HON'BLE MR. JUSTICE A. GUNESHWAR SHARMA

Order

21.06.2023

[1] Heard Mr. RK. Umakanta, learned PP for the State respondent.

[2] The present appeal has filed against the impugned order dated 03.12.2019 passed in Cril. (P) Case. No. 5/10/199 of 2013 passed by the Ld. Chief Judicial Magistrate, Imphal West where the respondent was acquitted for the offence under Section 420/468/471 IPC. In the relief sought for in the appeal, prayer No. (i) is to grant leave for filing the appeal under Section 378(3) of CrPC as the leave of this Court is required for filing appeal against acquittal.

[3] Mr. RK. Umakanta, learned PP, relies upon the judgment of the Hon'ble Supreme Court in the Case of **State of Rajasthan vs. Ramdeen** reported in **(1977) 2 SCC 630** where it was held that

application for separate leave to file appeal is not required and the same can be incorporated as a prayer in the main appeal.

[4] Leave to file appeal is permitted.

[5] Issue notice.

[6] Appeal is admitted. Since Mr. K. Bipinchadra, learned counsel, has appeared for the respondent in the connected application for condonation of delay, i.e. MC(GCA) No. 1 of 2021.

[7] Fresh step is not required.

[8] Registry is directed to intimate Mr. K. Bipinchandra, learned counsel, about the matter.

[9] Call for LCR and Registry is directed to prepare paper book.

[10] List on 30.08.2023.

JUDGE

joshua

KH. JOSHUA
MARING

Digitally signed by
KH. JOSHUA MARING
Date: 2023.06.23
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