

Court No. - 67

Case :- CRIMINAL APPEAL No. - 7682 of 2022

Appellant :- Umesh Das

Respondent :- State Of U.P. And 3 Others

Counsel for Appellant :- Vivek Tripathi

Counsel for Respondent :- G.A.

Hon'ble Rahul Chaturvedi,J.

Heard learned counsel for the appellant as well as learned A.G.A.

By means of the present appeal, the appellant is challenging the order dated 08.08.2022 passed by learned Special Judge, POCSO Act/Additional District and Sessions Judge, Varanasi in Special Sessions Trial No.220 of 2017 relating to case crime no.282 of 2017 convicting and sentencing the appellant under section 377 IPC for ten years rigorous imprisonment and a fine of Rs.50,000/-, and in default of payment of fine, five months additional imprisonment was awarded to the appellant.

Admit.

Summon the lower court record.

Since, the matter relates to POCSO Act, let notice be issued to opposite party no.2 through the Chief Judicial Magistrate, Varanasi to file counter affidavit within a period of six weeks.

Since, the appellant is being sentenced for ten years rigorous imprisonment and as a mandate of law under Section 389(Proviso) Cr.P.C., State may also file counter affidavit within six weeks.

Rejoinder affidavit may be filed within two weeks thereafter.

Put up this matter as fresh in the week commencing 05.12.2022 before appropriate Court.

Order Date :- 19.10.2022

Sumit S