

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.256 OF 2010

STATE OF HIMACHAL PRADESH

... APPELLANT(S)

VS.

NARESH KUMAR @ KAKA & ORS.

... RESPONDENT(S)

O R D E R

We have heard Ms. Pratishtha Vij, learned counsel appearing on behalf of the Appellant/State of Himachal Pradesh and Mr. Lalit Kumar, learned counsel for the respondents/accused.

Ms. Pratishtha Vij, learned counsel submits the High Court has grossly erred in reversing the well reasoned order of conviction as recorded by the trial Court. She submits that even after the matter was remanded to the High Court by this Court, the High Court has committed the same error, once again. She therefore submits that the appeal deserves to be allowed.

We have perused the impugned judgment and order passed by the High Court. The scope of interference in an appeal against acquittal is very limited. Unless the finding is found to be perverse or impossible, it is not permissible for this Court to reverse the same.

Though Ms. Pratishtha Vij, learned counsel has made her best attempts, she has not been in a position to persuade us to point out any perversity or impossibility in the approach adopted by the High Court. The appeal is, accordingly dismissed.

.....J.
[B.R.GAVAI]

.....J.
[VIKRAM NATH]

New Delhi;
February 09, 2023.

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Criminal Appeal No(s). 256/2010

STATE OF HIMACHAL PRADESH

Appellant(s)

VERSUS

NARESH KUMAR @ KAKA & ORS.

Respondent(s)

Date : 09-02-2023 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.R. GAVAI
HON'BLE MR. JUSTICE VIKRAM NATHFor Appellant(s) Ms. Pratishtha Vij, Adv.
Mr. Abhinav Mukerji, AOR
Mr. Akshay C. Shrivastava, Adv.
Mrs. Bihu Sharma, Adv.For Respondent(s) Mr. Lalit Kumar, Adv.
Mr. Aditya Sharma, Adv.
Mr. Ishan Nagar, Adv.
For M/S. Parekh & Co., AORUPON hearing the counsel the Court made the following
O R D E RThe appeal is dismissed in terms of the signed
order.Pending application, if any, shall stand disposed
of.(ANITA MALHOTRA)
AR-CUM-PS(ANJU KAPOOR)
COURT MASTER

(Signed order is placed on the file.)