**In The Hon'ble High Court Of Himachal Pradesh At Shimla**

Criminal Appeal: \_\_\_\_\_\_\_ of 2004

MEMO OF PARTIES

Appellant

Versus

Respondents

Criminal Appeal under Section 378 (4) read with Section 482 of Criminal Procedure Code against the order of Ld. \_\_\_\_\_ , whereby the Ld. court below has acquitted the accused/respondent

Shimla                                                                                      Appellant

\_\_\_\_\_\_\_                                                                                  Through, Advocate

**IN THE HON'BLE HIGH COURT OF HIMACHAL PRADESH AT SHIMLA**

**(OPENING SHEET)**

Criminal Appeal:\_\_\_\_\_\_ of 2004

Appellant

Versus

Respondents

APPEAL UNDER SECTION 378 (4) CrPC AGAINST THE \_\_

OFFENCES: \_\_

SENTENCE: \_\_

Shimla                                                                                      Appeal

\_\_\_\_\_\_\_                                                                                  Through, Advocate

GROUNDS OF APPEAL

RESPECTFULLY SHEWETH

1.  That briefly stated the facts of case are that \_\_

2.  That Your Lordship's humble petitioner is invoking the jurisdiction of this Hon'ble court and seeking indulgence on the following grounds amongst other each one of which is without prejudice to and independent of other :-

(a) That the learned court below has acted with serious illegality in the exercise of jurisdiction vested in it by law.

(b) That the court below has not exercised judicious discretion vested in it in accordance with law in passing the impugned order.

(c) That the provisions of law have been mis-construed.

(d) That the Ld. Court below has failed to appreciate the evidence on record and has drawn wrong inferences from the facts proved on record which has vitiated findings.

(e) That the Ld. court below has failed to appreciate the well-settled principles of law laid down by the Hon'ble Apex Court and various other High Courts.

3.  That the petitioner/complainant craves the leave of this Hon'ble court for filing of appeal against the acquittal of the accused/respondent on the above grounds amongst others which may be taken at the time of arguments.

4. That no similar petition has been filed by the petitioner on the similar grounds either in this Hon'ble court or the court of Session Judge.

5. It is, therefore, prayed that this Hon'ble Court may be pleased to send for the records of the case and after examining the legality of the proceedings, may be pleased to set aside the orders of the Ld. court below dated passed by the Ld. \_\_.

Shimla                                                                                      Appellant

\_\_\_\_\_\_\_                                                                                  Through, Advocate

**IN THE HON'BLE HIGH COURT OF HIMACHAL PRADESH AT SHIMLA**

Criminal Appeal No:\_\_\_\_\_\_\_ of 2004

Appellant

Versus

Respondents

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 Shimla                                                                                      Appellant

\_\_\_\_\_\_                                                                                    Through, Advocate