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CRR-2105-2013

IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE AVANINDRA KUMAR SINGH

ON THE 12th OF FEBRUARY, 2026CRIMINAL REVISION No. 2105 of 2013*THE STATE OF MADHYA PRADESH**Versus**JUGAL KISHORE AND OTHERS*

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Appearance:

Ms. Samta Jain - Government Advocate for State of M.P.
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ORDER

Heard on admission.

It is admitted for final hearing.

With the consent learned counsel for the applicant this revision is heard finally.

This revision is filed against the judgment dated 29.6.2013 passed in Cr.A. No.69 of 2011 (State of M.P. through Forest Range Officer Vs. Jugal Kishore and others) by First Additional Sessions Judge to the Court of Ist Additional Sessions Judge, Panna, M.P.

Learned appellate court held that an appeal would not lie before the Appellate Court.

In the ground of revision, it is mentioned that the order of the appellate court is not as per law.

It is submitted by learned counsel for the applicant that appellate court should have seen that crime under the Wild Animal Protection Act 1972 was committed and the accused were guilty of the offence and four units of



Sagun wood were also seized from Jugal Kishore.

After perusal of the record, it is seen that the order of learned appellate court is justified. The offence is stated to be of 12.12.2006 and the judgment of the trial court acquitting the accused in Case No.100/2007 was passed on 30.11.2010 and Jugal Kishore was acquitted of the charges under Section 27, 29, 35 (6), 44, 48 (A) of Wild Animal Protection Act 1972 whereas co-accused- Lallu Gond was held guilty for the same offences and he was punished.

An appeal was filed on 2.5.2011 and learned Appellate Court framed a issue regarding jurisdiction and gave a finding that it was not maintainable before the Appellate Court.

It is seen that on the date of filing of appeal was 2.5.2011. Against an acquittal an appeal where a case is instituted on a private complaint of Forest Officer should have been filed before this court i.e. High Court under Section 378 (4) of C.P.C. and not the First Appellate Court, Panna, M.P. Even in memo of appeal nothing has been explained how that order was bad in law. Therefore it seems that the appeal by the State was drafted hastily without proper application of mind right from the Law Department if that was involved or office of learned Advocate General if that was involved and filing of appeal blindly without knowing the law is already a big strain to the time and the expenses of the State as well as Courts. Therefore this revision is dismissed as not maintainable but subject to payment of cost of Rs.10,000/- to be paid by the State of M.P. through Forest Range Officer, Gangau Range, District Panna, M.P. A liberty is given to the State to recover



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the cost of Rs.10,000/- personally from the officers who were involved from
A to Z in filing this wrong appeal.

Accordingly, this revision is disposed of with the aforesaid direction.

(AVANINDRA KUMAR SINGH)
JUDGE

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