

HIGH COURT OF CHHATTISGARH, BILASPUR

Cr.M.P. No. 330 of 2016

State of Chhattisgarh **Versus** Hemlal Sahu

30/06/2016	Shri Adhiraj Surana, Dy. Government Advocate for the petitioner/State. Shri Ratnesh Kumar Agrawal, Advocate for the respondent. Heard on I.A.No.1/2016, an application for condonation of 2 days delay in filing the instant Cr.M.P. On due consideration, the application is allowed and delay of 2 days in filing the Cr.M.P. is condoned. Heard. This Cr.M.P. has been filed for seeking leave to appeal against the judgment of acquittal rendered by the 1st Additional Sessions Judge, Rajnandgaon (CG) acquitting the accused from the charges under Sections 304 B and 306 IPC. Admittedly, the deceased had committed suicide within 7 years of her marriage. There is evidence on record to suggest that the accused was regularly consuming liquor and was assaulting the deceased in a state of intoxication. PW-10, Radhelal, a neighbour, has stated that on the date of incident, he had seen the accused and the deceased quarreling. He went to the house and separated them. However, immediately after some time, he heard alarm arising from the house of the deceased and on reaching there, he witnessed that the	

deceased was burning.	
Considering the facts and circumstances of the case and the evidence available on record, the prayer for seeking leave to appeal deserves to be and is hereby allowed.	
Accordingly, the Cr. M.P. is allowed.	
Registry is directed to register it under the head of 'Acquittal Appeal'.	
Shri Ratnesh Kumar Agrawal would accept notice for the respondent, therefore, process fee need not be paid.	
List the Acquittal Appeal for admission in its due course.	
Sd/	Sd/
JUDGE (Prashant Kumar Mishra)	JUDGE (Chandra Bhushan Bajpai)