

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**CRMP No. 570 of 2013**

- The State Of Chhattisgarh Through - District Magistrate, Durg C.G.

---- Petitioner

Versus

- Kunal Kurre S/o Dukalu Ram Kurre Aged About 19 Years R/o Satya Chowk, Kumhari , P.S. Kumhari , Distt. Durg.

---- Respondent

For Applicant-State :- Shri R.Tripathi, PL

**Hon'ble Shri Justice Prashant Kumar Mishra &
Hon'ble Shri Justice Gautam Chourdiya**

Order On Board**By****Prashant Kumar Mishra, J.****15/10/2019**

1. On due consideration, delay of 131 days in filing of the Cr.M.P. is condoned. Accordingly, I.A. No.01 of 2013 which is an application for condonation of delay occurred in filing of the appeal is allowed.
2. The trial Court has convicted the accused for offences under Sections 452, 325 of the I.P.C., however, acquitted the

accused of the charges under Sections 307, 450 of the I.P.C.

3. Considering the statement of Dr. Siddharth Tamaskar (PW-10) and Dr. Pankaj Dhabalia (PW-11) it appears, prima-facie, that the injuries sustained by Balla Ram was not only serious but on vital part of the body, therefore, we are inclined to admit leave to appeal against acquittal of the respondent for the offence under Section 307 of I.P.C.
4. Accordingly, the Cr.M.P. is allowed.
5. Let regular acquittal appeal be registered and the same be placed for consideration in the week after next.

SD/-
(Prashant Kumar Mishra)
Judge

SD/-
(Gautam Chourdiya)
Judge

Ayushi