

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No.1112 of 2013

State Of Chhattisgarh, Through The Distt. Magistrate, Bilaspur Distt. Bilaspur C.G.
--- **Petitioner**

Versus

Jay Kumar Sahu S/o Ramkumar Sahu Aged About 20 Years R/o Tulsi Awas,
Rajkishore Nagar, PS Sarkanda, Distt. Bilaspur C.G
---- **Respondent**

For State/Petitioner : Mr. K.K. Singh, G.A.

DB : Hon'ble Shri Justice Manindra Mohan Shrivastava

Hon'ble Smt. Justice Rajani Dubey

Order On Board

09/04/2019

Heard on (I.A. No.1) application for condonation of delay in filing application for grant of leave to appeal.

Upon due consideration, delay in filing application for grant of leave to appeal is condoned.

The application (I.A. No.1) is allowed.

Also heard on application for grant of leave to appeal.

1. Taking into consideration the submission of learned counsel for the State that even though, there is evidence of prosecutrix, a minor, removed from lawful custody of her guardian without her consent in order to compel her to marry the respondent accused, learned Trial Court has acquitted the respondent not only of charge under Section 376 of IPC but also charge of commission of offence under Section 363, 366 of IPC, we are inclined to grant leave to appeal only to the extent of acquittal of respondent on alleged offence under Section 363, 366 of IPC. Leave is granted to that extent.

2. The appeal filed by the State be registered as an acquittal appeal and be listed for further orders.

Sd/-

(Manindra Mohan Shrivastava)
Judge

Sd/-

(Rajani Dubey)
Judge