

HIGH COURT OF CHHATTISGARH, BILASPUR**CRMP No. 581 of 2019**

- State Of Chhattisgarh, Through The Station House Officer, Police Station Dongargarh, District Rajnandgaon, Chhattisgarh,

---- Petitioner**Versus**

- Monu Sakhara @ Avinash, S/o Banshilal Sakhare, Aged About 23 Years, R/o Sanjay Nagar Ward No. 10, Dongargarh, Police Station Dongargarh, District : Rajnandgaon, Chhattisgarh

---- Respondent

For Petitioner : Shri Anand Verma, Dy. G.A.

DB : Hon'ble Shri Justice Manindra Mohan Shrivastava**Hon'ble Smt. Justice Rajani Dubey****Order On Board by Hon'ble Shri Justice Manindra Mohan Shrivastava****08.04.2019**

1. Heard on application for condonation of delay in filing appeal.
2. Upon due consideration, the application is allowed.
3. Delay is condoned.
4. Also, heard on application for grant of leave to appeal.
5. Taking into consideration the submission of learned counsel for the State that even though the prosecutrix has supported the prosecution story, the prosecution story has been dis-believed on the ground of lodging FIR, whereas the FIR has been explained, we are inclined to grant leave to appeal.
6. Accordingly, the CRMP is allowed and the case to be registered as an acquittal appeal and be listed for further orders.
7. CRMP is disposed off.

Sd/-
(Manindra Mohan Shrivastava)
 Judge

Sd/-
(Rajani Dubey)
 Judge