

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No. 643 of 2019

State Of Chhattisgarh Through Station House Officer, Police Station – AJK Janjgir,
District - Janjgir-Champa Chhattisgarh. **---- Petitioner**

Versus

Umesh Kumar Bareth S/o Kartikram Bareth Aged About 21 Years R/o Village
Siwani, Police Station - Champa, District - Janjgir-Champa Chhattisgarh

---- Respondent

For Appellant/State : Mr. Neeraj Mehta, Panel Lawyer

DB : Hon'ble Shri Justice Manindra Mohan Shrivastava

Hon'ble Smt. Justice Vimla Singh Kapoor

Order On Board

11/04/2019

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 State counsel that even according to the prosecutrix, her date of birth is 30th of September, 2000, corroborated from the evidence of school record proved by the prosecution that cohabitation is said to have been done 9 to 10 months before recording of her evidence on 16.11.2017 followed by birth of child, we are inclined to grant leave to appeal. Therefore, the application for grant of leave to appeal is allowed.
2. The appeal filed by the State be registered as an acquittal appeal and be listed for further orders.
3. The present CRMP is accordingly disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Sd/-
(Vimla Singh Kapoor)
Judge