

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No. 605 of 2019

State Of Chhattisgarh Through Station House Officer, Police Station- Bande,
District- North Bastar Kanker, Chhattisgarh

---- Petitioner

Versus

Mantosh @ Manitosh Sarkar S/o Ashutosh Sarkar Aged About 22 Years R/o
Village- P.V. 101, Vishnupur, Police Station- Bande, District- North Bastar
Kanker, Chhattisgarh

--- Respondent

For Petitioner/State : Shri K. K. Singh, Dy. G. A.

DB : Hon'ble Shri Justice Manindra Mohan Shrivastava

Hon'ble Smt. Justice Vimla Singh Kapoor

Order On Board

16/04/2019

1. Heard on application (I.A. No. 1) for condonation of delay in filing of acquittal appeal.
2. Upon due consideration, the application is allowed. Delay in filing the appeal is condoned.
3. Heard on prayer for grant of leave to appeal.
4. Taking into consideration the submission of learned State Counsel that though the prosecutrix has clearly stated that she was subjected to rape and the trial Court recorded that she was a minor, the trial has ended in acquittal, we are inclined to grant leave to appeal.
5. Accordingly, the petition is allowed.
6. Let the appeal filed by the State be registered as acquittal appeal and be listed for further orders.

Sd/-

**(Manindra Mohan Shrivastava)
Judge**

Sd/-

**(Vimla Singh Kapoor)
Judge**