

HIGH COURT OF CHHATTISGARH, BILASPUR**CRMP No.661 of 2019**

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

---- Petitioner**Versus**

1. Suddhu Ram Mandawi S/o Late Rakhnu Ram Mandawi Aged About 65 Years R/o Schoolpara Bhurka, Police Station Bhanupratappur, District- North Bastar, Kanker, Chhattisgarh, District : Kanker, Chhattisgarh
2. Birjho Bai W/o Suddhu Ram Mandwai Aged About 60 Years R/o Schoolpara Bhurka, Police Station Bhanupratappur, District- North Bastar, Kanker, Chhattisgarh, District : Kanker, Chhattisgarh

---- Respondents**PRESENT:-**

Shri Subhash Yadav, Dy.GA for Appellant/State.

D.B.: Hon'ble Shri Justice Manindra Mohan Shrivastava
Hon'ble Smt. Justice Rajani Dubey
Order on Board

Per Manindra Mohan Shrivastava, J.**26/04/2019**

1. Heard on application (I.A.No.1/2019) for condonation of delay in filing of acquittal appeal.
2. Upon due consideration, the application is allowed and the delay in filing the appeal is hereby condoned.
3. Also heard on prayer for grant of leave to appeal.
4. Taking into consideration the submission of learned State counsel that the child witness, who had seen the incident and supported the prosecution case, has been disbelieved by the learned trial Court, we are inclined to grant leave to appeal.
5. Accordingly, the application for grant of leave to appeal is allowed. The instant Criminal Miscellaneous Petition filed by the learned State counsel be registered as Acquittal Appeal and it be listed for further orders.
6. In view of above, the instant Criminal Miscellaneous Petition stands disposed off.

SD/-
(Manindra Mohan Shrivastava)
Judge

SD/-
(Rajani Dubey)
Judge