

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No. 1033 of 2019

- State Of Chhattisgarh, Through Station House Officer, Police Station Kotwali, District : Rajnandgaon, Chhattisgarh

---- **Petitioner**

Versus

- Pradeep Patel, S/o Johan Patel, Aged About 19 Years, R/o Sagarpara, Ward No.41, Basantpur, Police Station Basantpur, District : Rajnandgaon, Chhattisgarh

---- **Respondent**

For Petitioner/State : Shri Neeraj Kumar Mehta, PL

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

28.06.2019

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. Learned counsel for the State seeks leave to appeal against judgment of acquittal apparently on the basis of evidence of prosecutrix (PW-8) where she has refused to even identify the accused and has stated nothing against him. The judgment of acquittal does not appear to be suffering from any patent illegality, perversity so as to warrant interference by this Court, keeping in view the limited scope of interference against the judgment of acquittal. We, accordingly, do not consider present to be a fit case to grant leave to appeal.
6. Accordingly, CRMP is dismissed at the admission stage itself.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Sd/-
(Rajani Dubey)
Judge