

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No. 1416 of 2019

- The State Of Chhattisgarh Through District Magistrate, District Rajnandgaon, Chhattisgarh

---- Applicant

Versus

1. Rijwan Gouri, S/o Bashir Gouri, Aged About 26 Years, R/o Ward No.24, Diwan Para, Rajnandgaon, Tahsil and District Rajnandgaon, Chhattisgarh
2. Parvej Gouri, S/o Rustam Gouri, Aged About 19 Years, R/o Ward No.40, Indira Nagar Rajnandgaon, Tahsil and District Rajnandgaon, Chhattisgarh

---- Respondents

For Applicant

Shri Neeraj Mehta, PL

Hon'ble Justice Shri Prashant Kumar Mishra

Hon'ble Justice Shri Gautam Chourdiya

Order On Board by Prashant Kumar Mishra J.

31/07/2019

1. On due consideration, delay of 129 days in filing the CRMP is condoned. Accordingly, IA No.1/2019 is allowed.
2. This application seeking leave to appeal has been preferred against the impugned judgment, whereby the Trial Court has acquitted the accused from the charges under Section 307 of IPC and instead convicted them under Section 323 of IPC.
3. Considering the fact that the accused persons have used knife and iron rod in causing injuries and as per prosecution case, after some altercation the accused persons went back to their house

and returned armed with weapons, the present is a fit case for grant of leave to appeal. Accordingly, the CRMP is allowed.

4. Let regular acquittal appeal be registered and the same be placed for consideration in the next week.

Sd/-
Prashant Kumar Mishra
Judge

Sd/-
Gautam Chourdiya
Judge

Nirala