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HIGH COURT OF CHHATTISGARH, BILASPUR**CRMP No. 1469 of 2019**

- State Of Chhattisgarh, Through the Incharge, Police Station Marwahi, District-Bilaspur (C.G.)

---- Petitioner**Versus**

1. Khelan Singh Wakre, S/o. Jholan Singh Gond, aged about 35 years.
2. Mithailal Wakre, S/o. Jholan Singh Gond, aged about 32 years

Both are R/o Village Podi (Kanhartola), P.S. Marwahi,
District Bilaspur (C.G.)

---- Respondent

For State-Petitioner :- Shri K.K. Singh, G.A.

Hon'ble Shri Prashant Kumar Mishra

Hon'ble Shri Gautam Chourdiya, JJ.

Order On Board By

Prashant Kumar Mishra, J.

01/07/2019

1. Having heard learned State counsel, prayer for condonation of delay in filing the application for leave to appeal is

allowed.

2. The **CRMP No. 1469 of 2019** is posted in default, however, the required documents have been filed and learned State counsel would argue the application on admission.
3. The trial Judge has disbelieved the statement of (PW-12) Manohar Singh Otti and (PW-14) Murarilal, both eye-witnesses, however, on perusal of the deposition it appears leave to appeal prayed for by the State to challenge the judgment of acquittal appeal deserves to be granted.
4. Accordingly, the **CRMP No.1469 of 2019** for leave to appeal is allowed.
5. Let regular acquittal appeal be registered and notice thereof be sent to the respondents as per rules.

Sd/-
(Prashant Kumar Mishra)
Judge

Sd/-
(Gautam Chourdiya)
Judge

Ayushi