

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

CRMP No. 2102 of 2018

State Of Chhattisgarh **Versus** Kamal Tigga

15/01/2019	Shri Subash Yadav, GA for the petitioner/State. Shri Amarnath Pandey, counsel for the respondent. Heard on prayer for grant of leave to appeal. Learned State counsel would pray for grant of leave to appeal on the submission that the trial court has committed illegality in disbelieving the testimony of the prosecutrix on the ground that no injury was found and that there was two days delay in lodging the report whereas the delay was explained and law does not require that in all the cases injury and medical evidence would necessarily support the case of rape. State counsel would submit that the trial court has meticulously examined the injury and has acquitted the appellant on the ground of benefit of doubt as the medical evidence does not support the case of the prosecution. Having considered, we are inclined to grant leave to appeal. Appeal filed by the State be registered as acquittal appeal and it be listed for further orders after two weeks. While listing the appeal the Registry shall publish the name of Shri Amarnath Pandey as counsel for respondent/accused-Kamal Tigga. Sd/- (Manindra Mohan Shrivastava) Judge Sd/- (Rajani Dubey) Judge
suguna	