

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No. 2539 of 2018

State Of Chhattisgarh Through Police Station City Kotwali Mungeli District Mungeli Chhattisgarh. ----- **Petitioner**

Versus

Satish Kumar Tandan S/o Moti Lal Tandan Aged About 21 Years R/o Village Devri (Sangva), Police Station City Kotwali Mungeli, District Mungeli Chhattisgarh.

----- **Respondent**

For Appellant/State : Mr. Anand Verma, Dy. G.A.

DB : Hon'ble Shri Justice Manindra Mohan Shrivastava

Hon'ble Smt. Justice Vimla Singh Kapoor

Order On Board

11/04/2019

Heard on (I.A. No.1) application for condonation of delay in filing application for grant of leave to appeal.

Upon due consideration, delay in filing application for grant of leave to appeal is condoned.

The application (I.A. No.1) is allowed.

Also heard on application for grant of leave to appeal.

1. Taking into consideration the submission of learned counsel for the State that even though, the prosecutrix has supported the prosecution case of respondent accused outraging her modesty and attempting to kill her by administering poison, supported by medical evidence, only on the ground of delay in lodging FIR, accused has been acquitted, we are inclined to grant leave to appeal. Therefore, the application for grant of leave to appeal is allowed.
2. The appeal filed by the State be registered as an acquittal appeal and be listed for further orders.
3. The present CRMP is accordingly disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Sd/-
(Vimla Singh Kapoor)
Judge