

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****CRMP No. 2544 of 2018**

- State Of Chhattisgarh Through Police Outpost Fastarpur police Station City Kotwali Mungeli District Mungeli Chhattisgarh.

---- Applicant**Versus**

1. Pappu Gabel S/o Mahadev Gabel Aged About 25 Years,
2. Nandkumari W/o Mahadev Gabel Aged About 48 Years,
3. Mahadev Gabel S/o Itwari Gabel Aged About 54 Years,

All are R/o Village Beejatarai Police Outpost Fastarpur, Police Station City Kotwali Mungeli District Mungeli Chhattisgarh.

---- Respondents

For Applicant :- Ms. Madhunisha Singh, PL

**Hon'ble Shri Justice Prashant Kumar Mishra &
Hon'ble Shri Justice Gautam Chourdiya, JJ.**

**Order On Board
By
Prashant Kumar Mishra, J.**

07/08/2019

1. On due consideration delay of 59 days in filing of CrMP is condoned. Accordingly, I.A. No.01 of 2018, application for

condonation of delay in filing of the instant CrMP is allowed.

2. The trial Court has acquitted the accused of the charges under Sections 304B/34 and 302/34 of I.P.C.
3. Considering the statement of Prahlad (PW-2), uncle of the deceased, Prembai (PW-3), mother of the deceased, Gaukaran (PW-4), father of the deceased and Dr. Sanjay Kumar Oberoi (PW-16), we are inclined to grant leave to appeal to the prosecution.
4. Accordingly, the CrMP is allowed.
5. Let regular Acquittal Appeal be registered and the same be posted for consideration in the next week.

Sd/-
(Prashant Kumar Mishra)
Judge

Sd/-
(Gautam Chourdiya)
Judge

Ayushi