

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No. 212 of 2019

- State Of Chhattisgarh, Through Station House Officer, Police Station Gaurella, District- Bilaspur, Chhattisgarh

---- Petitioner

Versus

- Sukhnandi Baiga, S/o Baliram Baiga, Aged About 40 Years, R/o Village Aamadoab, Baigapara, Police Station- Gaurella, District- Bilaspur, Chhattisgarh

---- Respondent

For Appellant

Shri S. K. Mishra, PL

Hon'ble Justice Mr. Prashant Kumar Mishra

Hon'ble Justice Mr. Gautam Chourdiya

Order On Board

03/07/2019

1. On due consideration, IA No.1/2019, application for condonation of delay in filing the application seeking leave to appeal, is allowed and the delay of 149 days in filing the application is condoned.
2. The Trial Court has acquitted the accused of the offence under Section 302 of IPC, however, present being a case of house murder and only two persons namely the accused and the deceased were residing together in the house and there are injuries on the person of the deceased, as has been proved in the postmortem report (Ex-P-16), we are inclined to grant leave to appeal.

3. Accordingly, prayer for grant of leave to appeal is allowed.
4. The CRMP is disposed of.
5. Let regular acquittal appeal be registered and notice thereof be issued to the respondent on payment of process fee as per rules.
6. Bailable warrant of arrest for a sum of Rs.25,000/- be issued against the respondent for his appearance before this Court on 23.09.2019.

Sd/-

Prashant Kumar Mishra
Judge

Sd/-

Gautam Chourdiya
Judge

Nirala