

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No.1083 of 2020

State Of Chhattisgarh Through Police Station Batauli, District Surguja Chhattisgarh.
---- **Petitioner**

Versus

Kapil Giri @ Chandan Baba S/o Jhakhad Giri Aged About 45 Years Resident Of
Village Turturiya, Police Station Lundra, District Surguja Chhattisgarh., District :
Surguja (Ambikapur), Chhattisgarh
---- **Respondent**

For State/Petitioner : Mrs. Fouzia Mirza, Additional A.G.

DB : Hon'ble Shri Justice Manindra Mohan Shrivastava

Hon'ble Smt. Justice Vimla Singh Kapoor

Order On Board

17/12/2020

Heard on application for grant of leave to appeal.

1. Taking into consideration the submission made by learned counsel for the State that despite evidence of the prosecutrix and villagers that when she was not having any issue, the accused assured her that he would be helping her out by sexual intercourse to conceive child and thereafter committed rape on her, 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