

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**CRMP No. 1163 of 2020**

- The State Of Chhattisgarh Through - District Magistrate, Balrampur - Ramanujganj Chhattisgarh

---- Petitioner

Versus

- Dhanjay Gupta S/o Laxmi Sao, Aged About 24 Years R/o Village - Nabinagar, Ward No. 10 Parisiya Road, Aurangabad, Bihar

---- Respondent

For Petitioner / State : Smt. Fouzia Mirza, Addl. A.G.

D.B.:- Hon'ble Shri Justice Manindra Mohan Shrivastava**Hon'ble Smt. Justice Vimla Singh Kapoor****Order On Board****17/12/2020**

Though there is delay of 232 days in filing this petition, taking into consideration the submission of learned State counsel that despite clear statement of the prosecutrix that the accused entered the house, committed rape and the statement of her children Rahul (PW3) and Rajpati (PW4) that when the accused entered the house, their mother cried for help, learned Trial Court acquitted the accused, we are inclined to grant leave to appeal.

Considering the aforesaid submission, we are inclined to grant leave to appeal against impugned judgment. Accordingly, this CrMP is allowed. Leave is granted. Let the appeal be registered as Acquittal Appeal and be listed for further orders.

Sd/-

(Manindra Mohan Shrivastava)
Judge

Sd/-

(Vimla Singh Kapoor)
Judge