

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No. 267 of 2020

- State Of Chhattisgarh Through Its Station House Officer, Police Station Darima, District Surguja Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh ----- **Petitioner**

Versus

- Nagendra Kumar Mishra @ Pappu S/o Surajbhan Mishra @ Tunnu Mishra, Aged About 20 Years R/o Village Puta, Chekhapara, Police Station Darima, District Surguja Chhattisgarh, District : Surguja (Ambikapur), Chhattisgarh ----- **Respondent**

For the State :- Mr. Ravish Verma, GA.

Hon'ble Shri Justice Manindra Mohan Shrivastava
Hon'ble Smt. Justice Vimla Singh Kapoor,

Order on Board by Justice Manindra Mohan Shrivastava, J.
04.08.2021

Heard on application for condonation of delay as well as prayer for grant of leave to appeal.

Taking into consideration the cause shown and particularly taking into consideration the merits of the case and that despite prosecutrix having clearly stated in her evidence regarding commission of rape on her by the accused in the night and the report lodged on the very next day of the incident and the prosecutrix having found sustained number of injuries, we are **inclined** to condone the delay as also grant of leave to appeal. Accordingly, delay is condoned and prayer for leave to appeal is allowed.

Let the appeal filed by the State be registered as Acquittal Appeal and be listed for further orders.

CRMP is accordingly **allowed**.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Sd/-
(Vimla Singh Kapoor)
Judge