

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No. 244 of 2021

- State Of Chhattisgarh, Through Police Station Sarkanda, District Bilaspur Chhattisgarh. ----- **Petitioner.**

Versus

- Manoranjan Dharmraj S/o Mohanlal Dharmraj, Aged About 35 Years R/o Village Quarter No. D-50, Khamtarai, Shivam Vihar Colony, Police Station Sarkanda, District Bilaspur Chhattisgarh Permanent Address Village Kalmitar, P. S. Ratanpur, District Bilaspur Chhattisgarh. ----- **Respondent.**

For the State :- Mr. Lalit Jangde, Dy. GA.

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

Order on Board by Justice Manindra Mohan Shrivastava, J.
09.03.2021

Heard on prayer for grant of leave to appeal.

Taking into consideration the submission of learned State counsel that the acquittal has been ordered though the prosecution led the evidence of deceased being subjected to sustained mental cruelty and torture and there being evidence of deceased dying of hanging in the matrimonial house, and further that even in the absence of there being cogent evidence of cruelty in connection with demand of dowry soon before death, evidence of sustained cruelty and torture for long period followed by commission of suicide at least made a case for conviction under Section 306 IPC, we are inclined to grant leave to appeal. Accordingly, application for leave to appeal is **allowed**.

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

Sd/-
(Manindra Mohan Shrivastava)
Judge

Sd/-
(Vimla Singh Kapoor)
Judge

Ajay