

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**CRMP No. 647 of 2019**

- State Of Chhattisgarh Through The Incharge, Police Station Tamnar, District Raigarh Chhattisgarh

---- **Petitioner****Versus**

- Mannu Toppo S/o C. Toppo Aged About 28 Years Occupation Driver R/o Village Amaghat, Police Station Tamnar, District Raigarh Chhattisgarh

---- **Respondent**

For State / Petitioner : Shri Aman Kesharwani, Panel Lawyer

Hon'ble Shri Justice Manindra Mohan Shrivastava**Hon'ble Smt. Justice Vimla Singh Kapoor****Order On Board****15/02/2021**

Heard on application for condonation of delay in filing of the appeal.

Taking into consideration the period of delay and the cause shown and that the leave is sought against acquittal against charge of murder, we are inclined to condone the delay.

Delay in filing appeal is condoned.

Also heard on application for grant of leave to appeal.

Taking into consideration the submission of learned State counsel that despite prosecution having proved guilt of the accused, the deceased having sustained injury and according to the post mortem report, it was a case of homicidal death due to strangulation and further that the accused has failed to prove any alibi, we are inclined to grant leave to appeal.

Accordingly, the application for grant of leave to appeal is allowed. Leave is

granted.

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

This CrMP is, accordingly, disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Sd/-
(Vimla Singh Kapoor)
Judge