

HIGH COURT OF CHHATTISGARH, BILASPUR**CRMP No. 616 of 2020**

State Of Chhattisgarh Through Police Station Somani, District Rajnandgaon,
C.G., District : Rajnandgaon, Chhattisgarh

---- Petitioner**Versus**

1. Manohar Dewangan Aged About 21 Years R/o Village Baghera, Mahavir Chowk, Ward No. 17, P.S. Somani District Rajnandgaon, C.G., District : Rajnandgaon, Chhattisgarh
2. Motiram Sahu S/o Ashok Sahu Aged About 37 Years R/o Village Banbaghera, Ward No. 7, P.S. Somani District Rajnandgaon, C.G., District : Rajnandgaon, Chhattisgarh

---- Respondents

For Petitioner/State : Shri Praveen Shrivastava, Panel Lawyer

**D.B. :Hon'ble Shri Justice Manindra Mohan Shrivastava &
Hon'ble Smt. Justice Vimla Singh Kapoor**

Order On Board**24/03/2021**

Heard on prayer for grant of leave to appeal.

1. Taking into consideration the submission of learned State counsel that even though the prosecutrix has remained firm in her examination-in-chief as well as in the cross-examination, learned trial Court has acquitted the respondents-accused on the ground of some delay in lodging FIR and that prosecution could not prove beyond doubt that the prosecutrix was minor on the date of alleged commission of offence, we are inclined to grant leave to appeal.
2. Accordingly, the petition (Cr.M.P.) 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