

HIGH COURT OF CHHATTISGARH, BILASPUR**CRMP No. 816 of 2020**

- State Of Chhattisgarh Through- Police Station Balrampur, District Balrampur- Ramanujganj, Chhattisgarh

---- Petitioner**Versus**

- Gosai Nageshia S/o Kharal Nageshia Aged About 45 Years R/o Village- Bachwarpar, Budhhudih, Police Station Balrampur, District Balrampur- Ramanujganj, Chhattisgarh

--- Respondent

For Petitioner/State : Mr. K.K. Singh, G.A.

DB : Hon'ble Shri Justice Manindra Mohan Shrivastava**Hon'ble Shri Justice Narendra Kumar Vyas****Order On Board****31/03/2021**

1. Heard on application (I.A. No.1/2020) for condonation of delay in filing the appeal.
2. Taking into consideration the period of delay, cause shown in the application and that present is a case arising out of judgment of acquittal against commission of offence of rape, we are inclined to condone the delay. The application (I.A. No.1/2020) is allowed. Delay is condoned.
3. Also heard on prayer for grant of leave to appeal.
4. Taking into consideration the submission of learned State Counsel that even though the prosecutrix has fully supported the case of the prosecution, a prompt FIR was lodged, acquittal has been granted on certain discrepancies, we are inclined to grant leave to appeal. The application is accordingly allowed.
5. Let the appeal filed by the State be registered as an acquittal appeal and be listed for further orders.
6. CRMP is accordingly disposed off.

Sd/-**(Manindra Mohan Shrivastava)
Judge****Sd/-****(Narendra Kumar Vyas)
Judge**