

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**CRMP No. 1047 of 2020**

- State Of Chhattisgarh, Through - Its Station House Officer, Police Station Kartala, District Korba Chhattisgarh

---- Petitioner**Versus**

1. Lalu Rathiya @ Lal Singh Rathiya, S/o Pooran Singh, Aged About 48 Years R/o Village Chainpur, Sanwarapara, Kartala, District Korba Chhattisgarh
2. Naresh Kumar Rathiya, S/o Pooran Singh, Aged About 41 Years R/o Village Chainpur, Sanwarapara, Kartala, District Korba Chhattisgarh

---- Respondents

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

Hon'ble Shri Justice Manindra Mohan Shrivastava**Hon'ble Smt. Justice Vimla Singh Kapoor****Order On Board****05/01/2021**

Heard on prayer for grant of leave to appeal.

Taking into consideration the submission of learned State counsel that despite prompt FIR lodged by Madhusingh Rathiya (PW3) that his father had given oral dying declaration involving the accused and the post mortem report also connects the death with the injury sustained due to assault by the accused, acquittal had taken place, we are inclined to grant leave to appeal.

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