

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No. 1125 of 2020

- State Of Chhattisgarh, Through - Police Station Trikunda, District Balrampur - Ramanujganj Chhattisgarh., District : Balrampur, Chhattisgarh
----- **Petitioner**

Versus

- Ramsharan Gond @ Birjhan, S/o Govind @ Balgovind Gond, Aged About 23 Years R/o Village Sulsuli, Matkhniyapara, Police Station Trikunda, District Balrampur - Ramanujganj Chhattisgarh., District : Balrampur, Chhattisgarh
----- **Respondent.**

For the State :- Mr. Neeraj Pradhan, PL.

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

Order on Board by Justice Manindra Mohan Shrivastava, J.
15.03.2021

Heard on application for condonation delay as well as prayer for leave to appeal.

Taking into consideration the submission of learned State counsel that despite prosecutrix having clearly stated that her mouth was gagged and on the threat to kill she was subjected to rape, acquittal has been granted by the trial Court only on the ground that the incident was not immediately disclosed whereas in the present case the prosecutrix has stated that soon after the incident she informed the matter to her parents and that it was late in evening report was lodged next day, we are inclined to grant leave to appeal.

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

CRMP is accordingly **allowed**.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Sd/-
(Vimla Singh Kapoor)
Judge