

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR
CRMP No. 1318 of 2018

- State Of Chhattisgarh Through- Police Station Rajpur, District- Balrampur, Ramanujganj, CG. ---- **Petitioner**

Versus

- Butai Toppo W/o Late Birhol Toppo Aged About 43 Years Occupation- Housewife, Resident Of Village Kotwar Para, Lau Tehsil and Police Station Rajpur, District- Balrampur Ramanujganj, CG.

---- **Respondent**

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- Ms. Hamida Siddiqui, Dy. AG for the State.
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D.B.: Hon'ble Shri Justice Manindra Mohan Shrivastava

Hon'ble Smt. Justice Vimla Singh Kapoor

Order on Board

Per Manindra Mohan Shrivastava, J.

06.01.2021

Heard on prayer for grant of leave to appeal.

2. There is application for condonation of delay in this appeal.
3. Even if we condone the delay, we do not find any merit in this application because the acquittal of respondent/accused is on the consideration that the eye witness PW-1 has not supported the prosecution case and has stated that the deceased died due to fall on the floor. There is no other clinching evidence led by the prosecution to prove that respondent committed murder. In that view of the matter no case is made out for grant of leave to appeal, given the limited scope of interference against judgment of acquittal.
4. Accordingly, the application for grant of leave to appeal is rejected.

Sd/-

(Manindra Mohan Shrivastava)
Judge

Sd/-

(Vimla Singh Kapoor)
Judge