

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**CRMP No. 1204 of 2020**

- The State of Chhattisgarh, Through- Police Station Bamnidihi, District- Janjgir- Champa (C.G.).

---- Petitioner

Versus

- Chhabi Lal Patel, S/o Firat Ram Patel, aged about 29 Years, R/o Govinda Police Station Bamnidihi, District- Janjgir- Champa (C.G.).

---- Respondent

For Petitioner : Mr. Lalit Jangde, Government Advocate.

DB: Hon'ble Shri Justice Manindra Mohan Shrivastava &**Hon'ble Narendra Kumar Vyas****Order on Board****05/04/2021****Per Hon'ble Shri Manindra Mohan Shrivastava J.**

1. Heard on prayer for condonation of delay in filing the appeal as well as for grant of leave to appeal.
2. Taking into consideration the period of delay and the cause shown further that the appeal is against the acquittal of accused from commission of offence under Section 304-B and alternatively under Section 302 of Indian Penal Code, we are inclined to condoned the delay.
3. In view of submission of learned State Counsel and the material evidence available on record showing that by poisoning in the matrimonial house, recovery of pins used for tying *Saari* at the spot, broken bangle and recovery of container of pesticide from the possession of the accused having been proved by the prosecution, we are inclined for grant of leave to appeal. The application for grant of leave to appeal is allowed.
4. The appeal filed by the State be registered as an acquittal appeal and

be listed for further orders.

5. The present CRMP is accordingly disposed off.

Sd/-

(Manindra Mohan Shrivastava)
Judge

Sd/-

(Narendra Kumar Vyas)
Judge

Amita