

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No. 1106 of 2013

- State Of Chhattisgarh Through SHO, PS City Kotwali, Distt. Durg
C.G. , Chhattisgarh ----- **Petitioner**

Versus

1. Rajendra Kumar, S/o Mohanlal, aged about 27 years,
2. Gajendra Kumar S/o Mohanlal, aged about 40 years,
3. Rewati @ Sewati Bai W/o Gajendra Kumar, aged about 32 years,
4. Shanti Bai W/o Mohanlal Yadav, aged about 65 years,

All are R/o Gayanagar, Ward No. 4, Near Santoshi Mandir, PS
City Kotwali, Durg, Distt. Durg, CG. ---**Respondents**

For the Petitioner/State :- Mr. Lalit Jangde, GA.

For the respondent :- Mr. Praveen K Dhurandhar, Adv.

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

Order on Board by Justice Manindra Mohan Shrivastava J.
04.01.2021

Heard on prayer for grant of leave to appeal.

2. Taking into consideration the submission of learned State counsel that despite categoric evidence in the form of suicidal note that the deceased committed suicide because of sustained torture and harassment, we are inclined to grant leave to appeal only to the extent of acquittal against charges for commission of offence under Section 306 IPC.

As far as acquittal from allegation of commission of offence under Section 304-B IPC is concerned, we do not consider any material justifying grant of leave to appeal on that count.

3. Accordingly, application for leave to appeal is partly allowed to the extent indicated above. Let the appeal filed by the State be registered as Acquittal Appeal and be listed for further orders along with **CRA No.1001 of 2013**.

CRMP is accordingly disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Sd/-
(Vimla Singh Kapoor)
Judge

Ajay