

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No. 1858 of 2018

State Of Chhattisgarh Though - Police Station Pali, District Korba
Chhattisgarh, District : Korba, Chhattisgarh

---- Petitioner

Versus

Dharamkant Kashyap S/o Pushkar Kashyap Aged About 25 Years R/o Village
Podi Police Station Pali District Korba Chhattisgarh, District : Korba,
Chhattisgarh

---- Respondent

For State/Petitioner : Smt. Fouzia Mirza, Addl. A.G.

**D.B. :Hon'ble Shri Justice Manindra Mohan Shrivastava &
Hon'ble Smt. Justice Vimla Singh Kapoor**

Order On Board

19/01/2021

1. It is stated by learned counsel for the State that the default pointed out by the office has now been removed.
2. Heard on IA No.1/18, application for condonation of delay in filing the appeal.
3. Upon due consideration of the grounds urged in the application, we are inclined to allow the same. Accordingly, the application is allowed. Delay in filing the appeal is condoned.
4. Heard on prayer for grant of leave to appeal.
5. Taking into consideration the submission made by learned counsel for the State that despite the evidence of the prosecutrix regarding commission of forcibly sexual intercourse and the evidence with regard to age of the prosecutrix, acquittal has been granted to respondent-accused, we are inclined to grant leave to appeal.

6. Accordingly, the petition (Cr.M.P.) is allowed. Let the appeal filed by the State be registered as Acquittal Appeal and be listed for further orders.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Sd/-
(Vimla Singh Kapoor)
Judge

Praveen