

HIGH COURT OF CHHATTISGARH, BILASPUR**CRMP No. 51 of 2021**

- The State Of Chhattisgarh Through- District Magistrate, Rajnandgaon, Chhattisgarh

---- Petitioner**Versus**

- Praveen Kumar Sahu S/o Amru Das Sahu Aged About 23 Years R/o - Achholi, Police Station- Dongargarh, District- Rajnandgaon, Chhattisgarh

--- Respondent

For Petitioner/State : Mr. K.K. Singh, G.A.

DB : Hon'ble Shri Justice Manindra Mohan Shrivastava**Hon'ble Smt. Justice Vimla Singh Kapoor****Order On Board****25/01/2021**

1. Heard on application for condonation of delay in filing the appeal.
2. Taking into consideration that there appears to be some merit in the application and is required hearing it being a case of acquittal of the accused charged for commission of offence under Sections 450, 376(2) & 420 of IPC and Section 3(2)(v) of the SC & ST Act, the application is allowed. Delay is condoned.
3. Also heard on prayer for grant of leave to appeal.
4. Taking into consideration the submission of learned State Counsel that despite clear and categorical evidence of the prosecutrix and other prosecution witnesses that the only ground for refusing marriage with the prosecutrix was that the prosecutrix stated to be belonging to a low caste, we are inclined to grant leave to appeal. Prayer is accordingly allowed.
5. Let the appeal filed by the State be registered as an acquittal appeal and be listed for further orders.
6. CRMP is accordingly disposed off.

Sd/-**(Manindra Mohan Shrivastava)
Judge****Sd/-****(Vimla Singh Kapoor)
Judge**