

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No. 118 of 2019

- State Of Chhattisgarh Through Police Station Katghora District Korba Chhattisgarh. ---- **Petitioner**

Versus

- Pitambar Ram Yadav S/o Late Mohan Lal Yadav Aged About 75 Years R/o Village Bankheta ,budhapara ,police Station Katghora District Korba Chhattisgarh. ---- **Respondent**

For the Petitioner/State :- Mr. Mateen Siddiqui, Dy. AG.

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

Order on Board by Justice Manindra Mohan Shrivastava, J.
08.02.2021

Heard on prayer for condonation of delay in filing appeal as also prayer for grant of leave to appeal.

2. Taking into consideration the submission of learned State counsel and the short period of delay 43 days, delay is condoned.

3. Taking into consideration the submission of learned State counsel that despite prosecution having led eye witnesses who supported the case of the prosecution, eye witnesses have been disbelieved and acquittal ordered, we are inclined to grant leave to appeal. Accordingly, application is **allowed**.

Necessary correction in the memo of appeal be carried out within one week.

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