

HIGH COURT OF CHHATTISGARH, BILASPUR**CRMP No. 150 of 2020**

- State Of Chhattisgarh Through Police Station Sanna, District : Jashpur, Chhattisgarh

---- Petitioner**Versus**

- Smt. Phulmani Bai Wd/o Mahavir Ram Aged About 47 Years R/o Chachari Bahora, Police Station Sanna, District : Jashpur, 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****03/03/2021**

1. Heard on application (I.A. No.1/2020) for condonation of delay in filing the appeal.
2. Taking into consideration the period of delay and cause shown in the application, we are inclined to condone the delay, the application (I.A. No.1/2020) 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 though the dead body of the deceased was found in his house in the presence of respondent-accused, his wife and it was found to be homicidal in nature having sustained four cut injuries on the occipital part and wife not only failed to explain as to how her husband sustained fatal injury in the house but also tried to give a false explanation and the axe was also recovered from the house which was found to be stained with human blood, 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**