

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No. 156 of 2020

- State Of Chhattisgarh Through The Police Station Kotwali,
District Rajnandgaon Chhattisgarh. ---- **Petitioner.**

Versus

- Kishore Ramteke S/o. Basantlal Ramteke Aged About 22 Years
R/o Village Markatola Kektitola, P.S. Ambagarh Chowki, District
Rajnandgaon Chhattisgarh. ---- **Respondent**

For the State :- Mr. Lalit Jangde, Dy. GA.

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

Order on Board by Justice Manindra Mohan Shrivastava, J.
14.07.2021

Heard on prayer for condonation of delay and grant of leave to appeal.

2. Taking into consideration the cause shown in the application for condonation of delay and considering that the present is case of acquittal against the charges of commission of rape against a minor, we are inclined to condone the delay. Delay is accordingly, condoned.

3. Taking into consideration the submission of learned State counsel that, even though, the prosecutrix clearly stated regarding she being misled and taken to an abandoned house by the accused and subjected to rape and the FIR was filed on the same day and further taking into consideration the material with regard to the age of the prosecutrix, we are inclined to grant leave to appeal.

4. Application for grant of leave to appeal is accordingly **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