

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No. 778 of 2012

State of Chhattisgarh Through - P.S. Nevai , District Durg C.G.

---- Applicant

Versus

1. Rishi Kumar, S/o Sundarlal Aged About 22 Years R/o Gadadih ,
P.S. Utai, District Durg (C.G.)
2. Hemant Das, S/o Govind Das Manikpuri Aged About 23 Years
R/o Gadadih, P.S. Utai, District Durg (C.G.)

---- Respondents

For applicant/State - Shri Ashish Shukla, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

8/12/2015

1. Heard on admission.
2. Perused the order dated 30/06/2012 passed by the First Additional Sessions Judge, Durg District Durg in Sessions Trial No.55/2011 acquitting respondents/accused of the charge under section 363 and 366-A of IPC. Perusal of the case file would show that victim was with the accused Rishi Kumar from period 28/09/2010 to 8/10/2010 for about 11 days and no complaint was made and she herself went along with the accused and she was not enticed by the accused. Perusal of the statement would further show that she went to the accused when she was called and thereafter she went to Raipur and subsequently she went to Ambikapur, thereafter went to Ramanujganj and stayed in the house of one relative. In the cross examination it is also stated that she was not having mobile and therefore accused has purchased mobile and gave it to her. In the cross examination it is also admitted that she used to go to Maitrigarden to meet the accused in earlier point of time and she was able

to understand all the facts and also was able to take care of her.

3. Taking into account documents, statement and the evidence finding recorded by the court below that the respondents/accused are acquitted of the charges under Section 363 and 366-A of IPC is appears to be correct appreciation of facts and evidence. Therefore, no interference is required by this court and I am not inclined to admit this Cr.M.P. to allow leave of appeal.

4. Consequently, Cr.M.P. has no merit and it is dismissed.

Sd/-

(Goutam Bhaduri)

JUDGE