

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Acquittal Appeal No.194 of 2015**

Pramila Sahu, D/o Uday Ram Sahu, aged about 21 years, R/o Parsada Awaspara, Thana Chakarbhata, District Bilaspur, Chhattisgarh

---- Appellant**versus**

1. State of Chhattisgarh, through Police Station Chakarbhata, District Bilaspur, Chhattisgarh
2. Kamlash Thakur, S/o Sahdev Thakur, aged 21 years, R/o Parsada Awaspara, Thana Chakarbhata, District Bilaspur, Chhattisgarh

---- Respondents

For Appellant	: Shri Manish Kumar Kashyap, Advocate
For Respondent No.1/State	: Shri Neeraj Mehta, Panel Lawyer

Hon'ble Shri Navin Sinha, Chief Justice**Hon'ble Shri Justice P. Sam Koshy****Judgment on Board****Per Navin Sinha, Chief Justice****8/10/2015**

1. The present appeal has been filed against acquittal of Respondent No.2 from the charge under Section 376 IPC ordered on 28.7.2015 by the Additional Sessions Judge (FTC), Bilaspur in Sessions Trial No.85 of 2014.

2. Learned Counsel for the Appellant submits that the acquittal was not justified as the Appellant, victim herself, had led evidence to the effect that she trusted and believed Respondent No.2 who had promised to marry her and because of which she consented for physical relationship. Had she known that the Appellant had no such intention from the inception, question of her consent would not have arisen.

3. We have heard Learned Counsel for the State also.

4. The evidence discussed by the Trial Judge does not demonstrate that the Appellant was misled in any manner much-less is there any evidence with regard to nature of any promise allegedly held out by Respondent No.2. It is difficult to believe that in a relationship which existed over three long years, the Appellant who appears to have been a consenting adult, could have been misled by any assurance. In any event, there is no evidence, as

discussed, with regard to any promise or assurance consistently held out by Respondent No.2.

5. The appeal is dismissed.

Sd/-

(Navin Sinha)
CHIEF JUSTICE

Sd/-

(P. Sam Koshy)
JUDGE