

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

Cr.M.P. NO. 921 OF 2015

State of Chhattisgarh, through Station House Officer, PS – Bemetara,
District – Bemetara (C.G.)

... Appellant

Versus

Tekram Sahu, aged about 29 years, S/o Vishnu Sahu, occupation –
cultivation, village – Navagaon, Karanjia, PS – Bemetara, District –
Bemetara (C.G.)

... Respondent

For Appellant : Mr. B. Gopa Kumar, Dy. Advocate General.

Hon'ble Shri Navin Sinha, Chief Justice
Hon'ble Shri Justice P. Sam Koshy

Order on Board

Per NAVIN SINHA, C.J.

14/10/2015

1. The present application for leave to appeal has been filed assailing the acquittal of the Respondent of the charges under Sections 376, 506 (Part II) IPC in Sessions Trial No. 62 of 2014 by the Additional Sessions Judge, Bemetara.
2. Learned Counsel for the State submits that the Respondent lured the victim and physically violated her on a false promise of marriage. The acquittal was therefore not justified.
3. We have taken through the judgement under appeal.
4. The Prosecutrix and the Respondent were well known to each other being from the same village. The Prosecutrix was a major aged 19 years. She appears to have gone away with the Respondent of her own volition leading her father to a lodge missing persons case.
5. The fact that out of love and affection she may have surrendered herself to the Respondent voluntarily who may have resciled from his promise to marry her, does not persuade us to interfere with the order of

acquittal under appeal which is passed on proper and appropriate consideration of the evidence leaving the Trial Judge fully dissatisfied that the charges were made out.

6. We would expect the State to be a little circumspect in filing application for leave to appeal in matters like the present.

7. The application for leave to appeal is dismissed.

Sd/-
(Navin Sinha)
Chief Justice

Sd/-
(P. Sam Koshy)
Judge

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