

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

CRMP No. 420 of 2016

Ku. Y. Pallavi **Versus** Mahesh Kumar

07/07/2016	Shri Avadhesh Mishra, Advocate for the petitioner. Shri Ashish Shukla, PL for the State/respondent. Shri Awadh Tripathi, Advocate for the respondents No.1 & 2. This is an application seeking leave to appeal against the judgment dated 06.01.2016 passed by Special Additional Sessions Judge (FTC) South Bastar, acquitting the accused persons from the charges under Sections 376-D, 342/34, 323 2(A)/34, and 506 (2) of IPC. Learned counsel for the petitioner would submit that there are evidences on record which demonstrate that the prosecutrix was less than 16 years of age. He would also submit that although the eyewitness has not supported the prosecutrix but in her statement, she has remained firm and has alleged that the accused persons have committed forcible sexual intercourse without her consent. We have perused the record. Considering the evidence available on record, we are of the considered opinion that leave to appeal deserves to be granted. Accordingly, this CRMP is allowed.	

Let regular acquittal appeal be registered.

Respondents No.1 & 2 are represented by Shri Awadh Tripathi, Advocate. Therefore, the PF/notice dispensed with.

List this appeal before the Court after eight weeks.

Sd/-

(Prashant Kumar Mishra)
Judge

Sd/-

(Chandra Bhushan Bajpai)
Judge

Nisha

Nisha		
Nisha		