

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

Cr.M.P. No.671 of 2016

Smt. Kailash Kumari Rajwar **Verses** State of Chhattisgarh & Anr.

21.7.2016	Shri Anil Gulati, counsel for the petitioner. Shri Arun Sao, Dy. Advocate General for the State/ respondent No.1. This application seeking leave to appeal is directed against the judgment of acquittal dated 22.9.2015 passed by First Additional Sessions Judge, Surajpur, Dist. Surajput acquitting the accused from the charges under Sections 450 & 376 of the IPC. The petitioner, a married lady aged about 35 years, lodged a report of forcible sexual intercourse by the accused on 01.6.2013 for which FIR was lodged on 02.6.2013. Apart from the prompt FIR, the prosecutrix and her husband have fully supported the case of the prosecution. Their statement is fully corroborated by medical evidence. Having examined the matter, we find the present to be a fit case for grant of leave to appeal. Accordingly, the Cr.M.P. is allowed. Let the matter be registered under the head of acquittal appeal and notice be sent to respondent No.2/accused on payment of PF as per rules. It is made clear that if respondent No.2/accused fails to appear or evades the service of notice, this Court shall	

	take coercive steps under section 390 of the Cr.P.C. to secure his appearance. Sd/- (Prashant Kumar Mishra) JUDGE Sd/- (Chandra Bhushan Bajpai) JUDGE	
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