

HIGH COURT OF CHHATTISGARH, BILASPUR**Criminal Appeal No.526 of 2002**

Somaruram, son of Atevaram, aged 20 years, occupation Shefered, resident of Village Sarudhar, P.S. Bagicha, District Jashpur, Chhattisgarh

---- **Appellant**

versus

State of Chhattisgarh through P.S. Bagicha, District Jashpur Nagar,

--- **Respondent**

For Appellant	:	Shri Sudhir Bajpai, Advocate
For State/Respondent	:	Shri S.K. Mishra, Panel Lawyer

Hon'ble Shri Justice Arvind Singh Chandel

Judgment on Board

23.9.2017

1. The Appellant has been convicted under Sections 363, 366 and 376 of the Indian Penal Code and sentenced to undergo rigorous imprisonment for 3 years, 3 years and 7 years and to pay fine of Rs.500/-, Rs.500/- and Rs.1000/-, respectively, with default stipulation.
2. On 9.7.2014, after submission of Learned Counsel for the Appellant that the Appellant has completed his jail sentence, this Court had directed the State Counsel to verify and submit a report in this regard. Against the said direction, a report dated 2.9.2014 has been received from S.D.O. (P.), Bagicha, District Jashpur in which it is reported that the Appellant has been released from jail on 1.10.2006 after his undergoing the entire jail sentence awarded to him.
3. I have heard Learned Counsel appearing for the Appellant. He submitted that the Appellant has been falsely implicated in the case.

4. Per contra, Learned Counsel appearing for the State supported the impugned judgment.
5. I have perused the record to assess the correctness of the impugned judgment of conviction.
6. The Appellant has allegedly committed the offence of kidnapping and forcible sexual intercourse with the prosecutrix (PW1) aged about 13 years. In her statement, the prosecutrix (PW1) has fully supported the case of the prosecution. Her statement is duly corroborated by the evidence of her father Dilbandharam (PW2). As per the statement of Dr. (Smt.) Binodini Bakhla (PW7), the age of the prosecutrix was found to be 13 years.
7. Considering the material available on record, I do not find any merit in this appeal.
8. Consequently, the appeal deserves to be and is hereby dismissed.

Sd/-
(Arvind Singh Chandel)
Judge