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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CRL.REV.P. 709/2017

STATE NCT OF DELHI Petitioner
Through: Mr.Ashish Dutta, APP.

versus

PARTAP SINGH Respondent
Through: None.

CORAM:
HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER
% **18.09.2017**

CRL. M.A.15602/2017 (Exemption)

Exemption allowed subject to all just exceptions.

Application stands disposed of.

CRL.REV.P. 709/2017 & CRL. M.A.15601/2017 (Delay)

The State has challenged the order dated 05.05.2017 passed by the learned Additional Sessions Judge (SFTC), Dwarka Courts, New Delhi in connection with SC No.244/2017 arising out of FIR No.381/2016 whereby the respondent has been discharged of all the offences.

The respondent is alleged to have committed rape on the prosecutrix on 31.10.2016 which was reported on 02.11.2016. It is stated that the prosecutrix worked as a manager in the office of the respondent for the last three years. On such a complaint, a case was instituted against the respondent under Section 376/506 and 342 of the IPC. The prosecutrix was

subjected to medical examination and the doctor reported that the hymen was intact and that there were no fresh or old injuries on the person of the prosecutrix. However, in her statement recorded under Section 164 Cr.P.C, she has given a complete go-by to the allegation levelled in the FIR and has stated that when the respondent tried to commit rape on her, she could anyhow run away.

The order impugned further refers to the fact that the mother of the prosecutrix had also lodged a case of similar nature in the past.

The Trial Court has examined the matter in great detail and has come to the conclusion that the charges against the respondent are groundless. The respondent is 66 years of age and the prosecutrix is not consistent in her statement. Considering the aforesaid facts, the Trial Court discharged the respondent.

This Court does not find any good reason to interfere with the order impugned.

The revision petition is dismissed.

ASHUTOSH KUMAR, J

SEPTEMBER 18, 2017

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