

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No. 189 of 2019

- State Of Chhattisgarh Through The Station House Officer Police Station Dongargarh District Rajnandgaon Chhattisgarh

---- Petitioner

Versus

- Sagar Singh Bundela S/o Pratap Singh Bundela @ Shishupal Singh Aged About 24 Years R/o Village Girthan ,police Station Aat , District Jalon Uttar Pradesh ,present Address Village Saitpur ,police Station Kharkhoda ,district Sonipat Haryana

---- Respondent

For Petitioner/State : Shri K.K. Singh, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri and

Hon'ble Justice Smt. Rajani Dubey

Order On Board

27/02/2019

1. Heard on the application for leave to appeal as also on the application for condonation of delay in filing the application for leave to appeal.
2. Perused the statement of the victim (PW-5). The perusal of the statement would show that the victim/prosecutrix has not supported the case of the prosecution, she has turned hostile and nothing incriminating facts have been divulged in the cross-examination. She further has deposed that she has performed marriage with the appellant.
3. Considering the statement of the victim that she is a major and has performed

marriage with the victim has not supported the case of the prosecution, no ground is made out to allow this application for leave to appeal. Consequently, the CRMP being devoid of all merits and further is barred by 12 days and no plausible explanation has been given to condone the delay, we do not find it proper to condone the delay and also to allow the application for leave to appeal. Accordingly, the petition is dismissed.

Sd/-

(Goutam Bhaduri)

Judge

Sd/-

(Rajani Dubey)

Judge

Ashu