

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No.863 of 2017

- State Of Chhattisgarh Through District Magistrate, Surguja, Chhattisgarh

---- Petitioner

Versus

- Ajay Kushwaha, S/o Late Gulab Kushwaha, Aged About 37 Years, R/o Kedarpur, Bhatti Road, Ambikapur, Police Station Ambikapur, District Surguja, Chhattisgarh

---- Respondent

For Applicant

Ms. Madhunisha Singh, PL

Hon'ble Justice Shri Prashant Kumar Mishra

Hon'ble Justice Shri Gautam Chourdiya

Order On Board by Prashant Kumar Mishra

09/09/2019

1. On due consideration, delay of 10 days in filing the CRMP is condoned. Accordingly, IA No.1/2017 is allowed.
2. The Trial Court has acquitted the accused of the charges under Section 376 of IPC and Section 3 (2) (5) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989 and Section 3 (A)/4 of the Prevention of Children from Sexual Offences Act, 2012 while convicted him under Sections 363 and 366 of IPC.
3. Considering the statement of the prosecutrix, we are inclined to grant leave to appeal. Accordingly, the CRMP is allowed.

4. Let regular acquittal appeal be registered and the same be placed for consideration in the week after next.

Sd/-
Prashant Kumar Mishra
Judge

Sd/-
Gautam Chourdiya
Judge

Nirala