

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No. 245 of 2019

- State of Chhattisgarh Through Station House Officer, Police Station Sheorinarayan District Janjgir Champa Chhattisgarh.

---- Applicant

Versus

- Jai Keshwarwani @ Golu S/o Chandra Kumar Kesharwani @ Khoru, Aged About 30 Years R/o Village Bhoghapara, Near, Bade Mandir, Sheorinaryan, District Janjgir Champa Chhattisgarh.

---- Respondent

For Applicant-State :- Shri K.K. Singh, G.A.

Hon'ble Shri Prashant Kumar Mishra

Hon'ble Shri Gautam Chourdiya, JJ.

Order on Board

By

Prashant Kumar Mishra, J

13/08/2019

1. On due consideration, delay of 157 days in filing the present Cr.M.P. is condoned. Accordingly, I.A. No. 1 is allowed.
2. Since all the documents have been filed by the applicant we have heard learned counsel for the applicant on admission.
3. The trial Court has acquitted the accused of the charges

under Section 376(2)(n) of IPC.

4. Prosecutrix, a married lady aged about 35 years has turned hostile and has not supported the prosecution case at any stage of the examination. Her daughter, Anisha (PW-2), has also stated that the accused used to visit their house frequently and used to sleep with her mother in one room whereas the other family members would sleep in another room.
5. Considering the nature and quality of evidence available on record the present is not considered to be a fit case for grant of leave to appeal.
6. Accordingly, Cr.M.P. is dismissed.

Sd/-
(Prashant Kumar Mishra)
Judge

Sd/-
(Gautam Chourdiya)
Judge

Ankit