

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**CRMP No. 536 of 2019**

- State Of Chhattisgarh Through Station House Officer, Police Station Raghunathnagar, District Balrampur- Ramanujganj Chhattisgarh

---- Petitioner

Versus

- Dharamsai Pando S/o Indarsai Pando Aged About 25 Years R/o Village Raghunathnagar, Pandopara, Police Station Raghunathnagar, District Balrampur- Ramanujganj Chhattisgarh

---- Respondent

For PetitionerMr. Santosh Bharat, Panel Lawyer

DB: Hon'ble Mr. Justice Prashant Kumar Mishra &**Hon'ble Mr. Justice Gautam Chourdiya****Order On Board By****Prashant Kumar Mishra, J.****22/7/2019**

1. Heard on IA No.1, an application for condonation of delay in filing the CRMP.
2. On due consideration, the application is allowed and the delay is condoned.
3. Also heard on admission.
4. The trial Court has acquitted the accused of the charges under

Sections 376 & 506 of IPC.

5. The prosecutrix, a married lady aged about 32 years, has alleged commission of forcible sexual intercourse. However, in her deposition, the prosecutrix describes the complete act of sexual intercourse as it unfolded after the accused entered her house. She also admits that her husband had instructed her to falsely implicate the accused. The trial Court has also noted the demeanor of the prosecutrix, where she was found smiling and laughing when important questions were put to her.
6. Considering the nature and quality of evidence, particularly the statement of the prosecutrix, we are not inclined to grant leave to appeal.
7. The CRMP is dismissed.

Sd/-

(Prashant Kumar Mishra)
Judge

Sd/-

(Gautam Chourdiya)
Judge

Shyna