

NAFR

HIGH COURT OF CHHATTISGARH, BILASPURCRMP No. 855 of 2019

- State Of Chhattisgarh Through Police Station- Janjgir, District- Janjgir Champa, Chhattisgarh.

---- Petitioner

Versus

1. Ramesh Kumar Dariyana, S/o Balaram Aged About 26 Years,
2. Chatrapal Taigor, S/o Latelram Taigor, Aged About 22 Years,

Both R/o Village-Taga, Police Station - Mulmula, District- Janjgir-Champa, Chhattisgarh.

---- Respondents

For Petitioner :- Shri Subhash Yadav, Dy G.A.

Hon'ble Shri Prashant Kumar Mishra &

Hon'ble Smt. Rajani Dubey, JJ.

Order On Board

By

Prashant Kumar Mishra, J

13/05/2019

1. This application seeking leave to appeal has been preferred against the judgment of the acquittal rendered by the Special Judge, (Atrocities) Janjgir-Champa, in Sessions Trial No.

68/2017 acquitting the accused from charges under Section 366 and 376 (D) of IPC.

2. Having heard learned State counsel on admission, we have not found any material even for issuance of notice to the respondents. Mere perusal of the statement of prosecutrix (PW-1) would reveal that she has resiled from her previous statement and has turned hostile without supporting the prosecution case on any of the fact constituting the charges alleged against the respondent. The prosecutrix is 24 years of age. Even though she would state in paragraph 4 of the deposition that she has compromised with the accused, in the next breathe she denies that she is making false statement on account of compromise.
3. There is no substance in this application seeking leave to appeal, accordingly it is dismissed.

Sd/-
(Prashant Kumar Mishra)
Judge

Sd/-
(Rajani Dubey)
Judge