

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No. 1160 of 2019

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

---- Petitioner

Versus

- Sumar Sai @ Somra Nagesiya, S/o Deepan Nageshiya, Aged About 20 Years, Occupation Agriculture, Caste Nageshiya, R/o Village Jaljali, Police Station Samaripath, District Balrampur, Ramanujganj, Chhattisgarh

---- Respondents

For Appellant

Shri Vikash Shrivastava, PL

Hon'ble Justice Mr. Prashant Kumar Mishra

Hon'ble Justice Mr. Goutam Chourdiya

Order On Board by Prashant Kumar Mishra J.

10/07/2019

1. On due consideration, IA No.1/2019, application for condonation of delay in filing the CRMP, is allowed and the delay of 8 days in filing the CRMP is condoned.
2. The Trial Court has acquitted the accused from the charges under Sections 376 (2) (Dha) and 324 of IPC.
3. When examined in the Court, the prosecutrix has turned hostile. She has denied that the accused has ever committed forcible sexual intercourse with her, although she admits that she is carrying pregnancy from the accused.
4. The prosecutrix was more than 18 years of age on the date of incident as per the findings recorded by the Trial Court. She also

admits that before lodging of FIR, she had already married the accused and their physical relation happened after their marriage.

5. No case for grant of leave to appeal is made out. Accordingly, the CRMP is dismissed.

Sd/-
Prashant Kumar Mishra
Judge

Sd/-
Gautam Chourdiya
Judge

Nirala