

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**CRMP No. 1411 of 2019**

- State Of Chhattisgarh Through Station House Officer, Police Station Koni District Bilaspur Chhattisgarh.

---- Petitioner**Versus**

- Kamlesh Kashyap S/o Mahabali Kashyap Aged About 24 Years R/o Donga Koharaud, Police Station Pamgarh District Janjgir - Champa Chhattisgarh.

Presently R/o Shiwalik City, Sector 26 Joshan Height Pairsar, Police Station Kharad, District Mohali (Punjab)

---- Respondent

For State :- Shri S.K. Mishra, PL

**Hon'ble Shri Justice Prashant Kumar Mishra &
Hon'ble Shri Justice Gautam Chourdiya, JJ.**

Order On Board
By

Prashant Kumar Mishra, J.

23/07/2019

1. Heard.
2. On due consideration delay of 292 days in filing the appeal is condoned.

3. Accordingly, I.A. No. 01 of 2019, application for condonation of delay in filing of appeal is allowed.
4. The trial Court has acquitted the accused of the charges under Sections 363, 366, 376 of I.P.C. and Section 4 of the Protection of Children from Sexual Offences Act, 2012.
5. Mere perusal of the deposition of the prosecutrix would reveal that she was staying with the accused in Punjab in course of their working together to earn livelihood. She has not made any allegation of abduction or commission of rape on promise to marry.
6. In view of such state of evidence on record, the acquittal is fully justified. Therefore, there is no case for grant of leave to appeal is made out.
7. Accordingly, the present CRMP is dismissed.

SD/-
(Prashant Kumar Mishra)
Judge

SD/-
(Gautam Chourdiya)
Judge

Ayushi