

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No. 1387 of 2019

- Applicant

---- Respondent

For Applicant-State :- 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

29/07/2019

1. Heard on I.A. No.1, application for condonation of delay in filing the present Cr.M.P.
2. On due consideration, delay of one day in filing the Cr.M.P. is condoned. Accordingly, I.A. No.1 is allowed.
3. The trial Court has acquitted the accused of the charges

under Sections 363, 366, 376(2)(झ)(ढ) of IPC and Section 6 of Protection of Children from Sexual Offences (POCSO) Act, 2012, despite having found that prosecutrix was less than 18 years on the date of incident.

4. On perusal of the deposition of the prosecutrix and for the fact that she was less than 18 years of age on the date of incident, we are satisfied that the present appears to be a fit case for granting leave to appeal. Accordingly, Cr.M.P. is allowed.
5. Let regular acquittal appeal be registered and the same be placed for consideration in the next week.

Sd/-
(Prashant Kumar Mishra)
Judge

Sd/-
(Gautam Chourdiya)
Judge

Ankit