

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No. 1421 of 2019

- State Of Chhattisgarh, Through Station House Officer, Police Station-
AJK Bilaspur, District- Bilspur, Chhattisgarh

---- Petitioner

Versus

- Bhupendra Rathore, S/ Late Preetamlal Rathore, Aged About 28 Years,
R/o Limtara, Police Station- Masturi, District- Bilaspur, Chhattisgarh

---- Respondent

For Applicant

Ms. Madhunisha Singh, PL

Hon'ble Justice Shri Prashant Kumar Mishra
Hon'ble Justice Shri Gautam Chourdiya

Order On Board by Prashant Kumar Mishra J.

31/07/2019

1. On due consideration, delay of 122 days in filing the CRMP is condoned. Accordingly, IA No.1/2019 is allowed.
2. The Trial Court has acquitted the accused of the charges under Section 376 (2) of IPC and Section 3 (2) (V) of the Scheduled Castes and Tribes (Prevention of Atrocities) Act, 1989.
3. The prosecution made allegation that the accused has committed forcible sexual intercourse on promise to marry. She is aged about 30 years. She has not supported the case of the prosecution and has turned hostile.
4. Considering the nature and quality of evidence available, no case for grant of leave to appeal is made out.
5. Accordingly, the CRMP is dismissed.

Sd/-
Prashant Kumar Mishra
Judge

Sd/-
Gautam Chourdiya
Judge