

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**CRMP No. 1474 of 2019**

- State Of Chhattisgarh Through Station House Officer, Police Station Sakti, District Jangir-Champa Chhattisgarh

---- Petitioner

Versus

- Khemram S/o Reshamlal Patel Aged About 36 Years R/o Dhawaibhatha, Police Station Sakti District Jangir Champa Chhattisgarh

---- Respondent

For Petitioner/StateMs. Madhunisha Singh, Panel Lawyer

DB: Hon'ble Mr. Justice Prashant Kumar Mishra &**Hon'ble Mr. Justice Gautam Chourdiya****Order On Board By****Prashant Kumar Mishra, J****1/7/2019**

1. The default having been removed by filing necessary papers, we have proceeded to hear learned counsel for the State on the application (IA No.1) for condonation of delay as also on admission.
2. On due consideration, IA No.1, an application for condonation of delay of 09 days in filing the application for leave to appeal against the judgment of acquittal, is allowed and the delay is

condoned.

3. The trial Court vide its judgment dated 5.2.2019 passed in Sessions Trial No.14/2018 has acquitted the accused from the charges under Sections 450, 376 & 506 Part-II of IPC.
4. On perusal of the depositions of the prosecutrix examined as PW-1, her husband Shatruhan Patel (PW-2) and the Medical Expert Dr. Seema Nandini Chowdhary (PW-4), it appears, neither the allegation of the prosecutrix was supported by medical evidence nor she herself or her husband would support the case of the prosecution, as both of them have turned hostile.
5. No case for grant of leave to appeal is made out.
6. The CRMP is dismissed.

Sd/-
(Prashant Kumar Mishra)
Judge

Sd/-
(Gautam Chourdiya)
Judge