

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No.1435 of 2019

- State Of Chhattisgarh Through Police Station Pendra, District Bilaspur, Chhattisgarh

---- Applicant

Versus

- Sunil Uraon @ Buntu, S/o Shri Dara Singh Uraon, Aged About 20 Years, R/o Adbhar, Police Station Pendra, District Bilaspur, Chhattisgarh

---- Respondent

For Applicant

Shri Santosh Bharat, 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 202 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 Sections 354 and 509 of IPC and Sections 4 & 6 of the Protection of Children From Sexual Offences, Act, 2012.
3. Perusal of the statement of the prosecutrix would reveal that on the date of incident, her neighbor Soniya and her mother consumed liquor and were conversing loudly. At that point of time, accused Sunil reached their house and there was a fight between mother of the accused and Soniya. The accused was also involved in the said dispute. There is delay of 3 days in

lodging the FIR.

4. There is evidence also to the effect that dispute between the family of the accused and the family of the prosecutrix was going on for about a month prior to the date of incident.
5. Considering the above stated broad features of the case, the view taken by the Trial Court appears to be one possible view, therefore, no case for grant of leave to appeal is made out.
6. Accordingly, the CRMP is dismissed.

Sd/-
Prashant Kumar Mishra
Judge

Sd/-
Gautam Chourdiya
Judge

Nirala