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HIGH COURT OF CHHATTISGARH, BILASPUR**Criminal Misc. Petition No.1302 of 2018**

- State Of Chhattisgarh Through Police Station Arang, District Raipur Chhattisgarh.

---- Petitioner

Versus

- Golu @ Ganesh Yadav S/o Shyamlal Yadav R/o Village Mokhla, Police Station Arang, District Raipur Chhattisgarh.

---- Respondent

For the Petitioner/State : Shri Afroj Khan, Panel LawyerFor the respondent : None
-----**Hon'ble Shri Justice Ram Prasanna Sharma****Order On Board****18.3.2019.**

1. Heard on application for grant of leave to appeal under Section 378(3) of CrPC.
2. This petition is preferred against the judgment of acquittal dated 26.02.2018 passed by Judicial Magistrate First Class, Raipur (CG) in Criminal Case No.550/2013 wherein the said Court acquitted the respondent for the charges under Sections 509, 354D and 294 of the Indian Penal Code, 1860.
3. In the present case, prosecutrix did not appear before the trial Court and due to her non-appearance, evidence of the prosecutrix was not recorded. As per the version of the trial Court, there is no evidence recorded to substantiate the charge against the respondent. As there is no evidence, then it is not a case where the respondent should be called by this Court for full consideration of the present petition.

4. Accordingly, the application for leave to appeal is rejected.
Consequently, the CrMP stands dismissed.

Sd/-
(Ram Prasanna Sharma)
JUDGE

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