

## HIGH COURT OF CHHATTISGARH, BILASPUR

**CRMP No. 1664 of 2019**

- Applicant

- Jagdish @ Aarya Kumar Chaturvedi S/o Late Lalludas Chaturvedi Aged About 22 Years R/o Village- Boirdih, Police Station- Lalbag, District- Rajnandgaon, Chhattisgarh.

---- Respondent

For Applicant-State :- Shri Rajesh Singh, Dy. G.A.

**Hon'ble Shri Prashant Kumar Mishra**

**Hon'ble Shri Gautam Chourdiya, JJ.**

## Order on Board

By

**Prashant Kumar Mishra, J**

**22/07/2019**

1. Since the default has already been removed, we have heard learned State counsel on admission.
2. The trial Court has acquitted the accused of the charges under Sections 363, 366 & 376(2) of the I.P.C. and Section 6 of the Protection of Children from Sexual Offences Act, 2012.

3. The prosecutrix eloped with the accused, however, when examined in Court she has completely resiled from her earlier statements stating that no incident has ever happened with her. Thus, even if the prosecutrix was less than 18 years of age on the date of incident, the trial Court has rightly acquitted the accused and no case for granting leave to appeal is made out. Accordingly, Cr.M.P. is dismissed.

Sd/-  
**(Prashant Kumar Mishra)**  
Judge

Sd/-  
**(Gautam Chourdiya)**  
Judge

Ankit