

NAFR

HIGH COURT OF CHHATTISGARH, BILASPURCRMP No. 1657 of 2019

- State of Chhattisgarh Through Police Station Nandghat, District- Bemetara, Chhattisgarh.

---- Applicant

Versus

- Ashok Dewangan S/o Ramprasad @ Shyam Lal Dewangan Aged About 29 Years R/o Dhneli, Chowki Chandanu, Police Station Nandghat, District- Bemetara, Chhattisgarh.

---- Respondent

For Applicant/State :- Ms Madhunisha Singh, PL

Hon'ble Shri Prashant Kumar Mishra

Hon'ble Shri Gautam Chourdiya, JJ.

Order on Board

By

Prashant Kumar Mishra, J

17/07/2019

1. Defaults having already been removed, we have heard learned State counsel on admission.
2. The trial Court has acquitted the accused of the charges under Sections 450, 376 and 506 Part II of IPC.
3. The prosecutrix is more than 18 years of age on the date of incident. According to her statement there was an affair between the accused and herself and she got pregnant from

the accused. Thereafter, Panchayat meeting was convened wherein the accused refused to own her, though she was willing to go with the accused. She also says that if she would not have carried pregnancy she would not have reported the matter to the Police.

4. Considering the fact that she is more than 18 years of age at the time of offence and her clear admission that she was consenting to the affair and sexual intercourse, the trial Court has rightly acquitted the accused.
5. In view of the above, no case for grant of leave to appeal is made out. Accordingly, Cr.M.P. is dismissed.

Sd/-
(Prashant Kumar Mishra)
Judge

Sd/-
(Gautam Chourdiya)
Judge

Ankit