

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**CRMP No. 1704 of 2019**

- State Of Chhattisgarh Through Station House Officer, Police Station Gurur, District- Balod, Chhattisgarh.

---- Petitioner

Versus

- Rohit @ Roshan Patel S/o Narayan Singh Patel Aged About 20 Years R/o Jeevan Jyoti Para Kanwar Chowki Kanwar, P.S. Gurur, District- Balod, Chhattisgarh

---- Respondent

For PetitionerMr. R. Tripathi, Panel Lawyer

DB: Hon'ble Mr. Justice Prashant Kumar Mishra &**Hon'ble Mr. Justice Gautam Chourdiya****Order On Board by Prashant Kumar Mishra, J.****28/8/2019**

1. Heard.
2. The trial Court has acquitted the accused of the charges under Sections 376(Ka), 449, 302 and 201 of IPC.
3. The accused allegedly committed forcible sexual intercourse against and murdered the prosecutrix at about 11.30 p.m. on 26.12.2016. There is no evidence of last seen together or extra judicial confession. The only evidence relied by the prosecution was in the nature of accused's memorandum statement and

consequent recovery. However, witnesses to these documents have not supported the prosecution.

4. The present is a case of absolute lack of evidence, therefore, no case for grant of leave to appeal is made out.

5. The CRMP is dismissed.

Sd/-

(Prashant Kumar Mishra)
Judge

Sd/-

(Gautam Chourdiya)
Judge