

**NAFR****HIGH COURT OF CHHATTISGARH, BILASPUR****CRMP No. 1565 of 2018**

- State Of Chhattisgarh Through Police Station Narayanpur, District Jashpur Chhattisgarh.

**---- Applicant****Versus**

- Itish Rao S/o Shri Devsai Rao , Aged About 20 Years R/o Karma, Damgada, Police Station Narayanpur District Jashpur Chhattisgarh.

**---- Respondent**

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For Applicant                      :-        Shri K.K. Singh, G.A.

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**Hon'ble Shri Justice Prashant Kumar Mishra &  
Hon'ble Shri Justice Gautam Chourdiya, JJ.**

**Order On Board**  
**By**  
**Prashant Kumar Mishra, J.**

**03/09/2019**

1. On due consideration delay of 15 days in filing of the Cr.M.P. is condoned. Accordingly, I.A. No.01 of 2018, application under Section 5 of the Limitation Act for condonation of delay occurred in filing of the Cr.M.P. is allowed.
2. The trial Court has acquitted the accused of the charges under Sections 363, 366 क , 376(2)(ढ) of I.P.C., Section 6 of the Protection of Children from Sexual Offences Act, 2012

and Section 3 (2) (v) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.

3. The accused allegedly abducted the prosecutrix and committed forcible sexual intercourse with her on promise to marry. However, when examined in Court, she has turned hostile and has not supported the case of prosecution at any stage of her examination.
4. Considering the nature and quality of evidence available on record, we are not inclined to grant leave to appeal against acquittal.
5. In view of the above, the Cr.M.P. deserves to be and is hereby dismissed.

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

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

Ayushi