

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**CRMP No. 1804 of 2019**

- State Of Chhattisgarh Through Station House Officer, Police Station Manendragarh, District Koriya Chhattisgarh.

---- Petitioner

Versus

- Praveen Kant S/o Parasnath Rajput Aged About 40 Years R/o Village Shivnandanpur, Vishrampur, Police Station Vishrampur District Surajpur Chhattisgarh.

---- Respondent

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

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

Order On Board
By
Prashant Kumar Mishra, J.

05/08/2019

1. Heard.
2. On due consideration delay of 48 days in filing the CrMP is condoned. Accordingly, I.A. No.01 of 2019, application for condonation of delay in filing the CrMP is allowed.
3. The trial Court has acquitted the accused of the charges under Sections 376, 315, 325 of I.P.C. and under Sections 3

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

4. The prosecutrix aged about 23 years at the time of lodging of FIR has stated that the accused committed sexual intercourse on promise to marry for a period of 2 years. She admits that at the time of lodging of report she was 23 years of age. At one stage of examination she has stated that she is illiterate but in the next breath she admits that she has studied up to class 8th . She has obtained beautician training and was in the contact with the accused for the entire period of 2 years over mobile.
5. Considering her age and her conduct, the trial Court has rightly found that she was a consensual party to the act of sexual intercourse, no case for grant of leave to appeal is made out.
6. In view of the above, the CrMP deserves to be and is hereby dismissed.

SD/-
(Prashant Kumar Mishra)
Judge

SD/-
(Gautam Chourdiya)
Judge