

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****CRMP No. 1805 of 2019**

- State Of Chhattisgarh Through Station House Officer, Police
Station Chhuriya, District Rajnandgaon, Chhattisgarh

----- Petitioner**Versus**

- Limraj Netam S/o Krishna Netam Aged About 24 Years R/o
Village Padampur, Thana Chichgarh, District Gondia (M.S.)

----- 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 23 days in filing of CrMP is
condoned. Accordingly, I.A. No.01 of 2019, application for
condonation of delay in filing of CrMP is allowed.
3. The trial Court has acquitted the accused of the charges

under Sections 363, 366 क, 376 (2)(झ)(ढ) of I.P.C and Section 6 of the Protection of Children from Sexual Offences, 2012.

4. The absence of proof of Date of Birth, the trial Court has found that the prosecution has failed to prove that the prosecutrix was less than 18 years of age on the date of incident.
5. While examined in Court, the prosecutrix has not supported the prosecution at any stage of her examination. She has stated that there has been no sexual relation with the accused at any point of time nor does the accused abducted her. In view of the nature and quality of evidence on record, 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

Ayushi