

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****CRMP No. 1859 of 2019**

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

---- Applicant

**Versus**

- Khileshwar Verma @ Khilesh S/o Nohar Verma Aged About 23 Years R/o Village Cheepa, Dongargarh District Rajnandgaon Chhattisgarh.

---- Respondent

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For Applicant                   :-       Shri Rajendra Tripathi, PL

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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.**

**13/08/2019**

1. On due consideration delay of 70 days in filing of Cr.M.P. is condoned. Accordingly, I.A. No.01 of 2019 which is an application for condonation of delay in filing of Cr.M.P. is allowed.
2. The trial Court has acquitted the accused of the charges under Sections 376 (2) (n) and 506 Part-II of I.P.C.

3. Considering the statement of prosecutrix who has been examined as PW-1, it is apparent that she has not only turned hostile but has also made statement that she is already married with the accused.
4. Considering the nature and quality of the evidence on record, the present is not considered to be a fit case for grant of leave to appeal.
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