

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No. 1828 of 2018

- The State Of Chhattisgarh Through- Police Station Kusmi, District- Balrampur, Ramanujganj, Chhattisgarh

---- Petitioner

Versus

- Alesh Khalkho, S/o Raja Ram Khalkho, Aged About 33 Years, By Occupation- Govt. Job, R/o- Village Kasra, Nagtoli, P.S.- Patna, District- Koriya, Chhattisgarh, Present R/o- 12th Battalion, C Company, Samaripath, Sabag, District- Balrampur, Ramanujganj, Chhattisgarh

---- Respondent

For Applicant

Ms. Madhunisha Singh, PL

Hon'ble Justice Shri Prashant Kumar Mishra

Hon'ble Justice Shri Gautam Chourdiya

Order On Board by Prashant Kumar Mishra J.

16/08/2019

1. Record of the Trial Court being available, we have heard learned State counsel on admission.
2. The Trial Court has acquitted the accused of the charges under Sections 376 (2) (Dha) and 506-B of IPC.
3. The prosecutrix, examined as PW-3, is a married lady, aged about 27 years at the time of offence in the year 2013-14. She would clearly admit in her deposition that she was in love with the accused and were speaking over mobile phone regularly without being objected by her husband. She would also admit that they had stayed together for about one year and during this period,

she stayed with the accused wherever he was posted on transfer and at times when the accused failed to meet her on his transfer to other station, she used to reach that location.

4. Considering the nature and quality of evidence available on record, the present is not a fit case for grant of leave to appeal.
5. Accordingly, the CRMP is dismissed.

Sd/-
Prashant Kumar Mishra
Judge

Sd/-
Gautam Chourdiya
Judge

Nirala