

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No. 1936 of 2019

- Applicant

- Jagesh @ Jageshwar Yarda S/o Late Shri Thakur Ram Yarda Aged About 23 Years R/o Village Parna, Police Station Dongargaon, District Rajnandgaon, Chhattisgarh, Present At Village Sirsida, Police Station Charama, District Uttar Bastar Kanker, Chhattisgarh.

---- Respondent

For Applicant-State :- Shri Chitendra Singh, P.L.

Hon'ble Shri Prashant Kumar Mishra

Hon'ble Shri Gautam Chourdiya, JJ.

Order on Board

By

Prashant Kumar Mishra, J

26/08/2019

1. Heard.
2. On due consideration, delay of 38 days in filing the present Cr.M.P is condoned. Accordingly, I.A. No.1 stands allowed.
3. The trial Court has acquitted the accuse of the charges

under Sections 363, 366 376(2)(ढ) of IPC and Section 6 of Protection of Children from Sexual Offences Act, 2012.

4. The accused allegedly committed forcible sexual intercourse with the prosecutrix, aged less than 18 years at the time of occurrence, on promise to marry. When examined in Court, the prosecutrix has not supported the prosecution at any stage of her examination. She has even denied to identify the accused.
5. Considering the nature and quality of evidence available on record the present is not considered to be a fit case for grant of leave to appeal.
6. Accordingly, Cr.M.P. is dismissed.

Sd/-

(Prashant Kumar Mishra)
Judge

Sd/-

(Gautam Chourdiya)
Judge