

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No. 1892 of 2018

- State Of Chhattisgarh Through - Police Station Ramchandrapur, District Balrampur Ramanujganj, Chhattisgarh

---- Petitioner

Versus

1. Dinesh Vishwakarma, S/o Ramgahan Vishwakarma, Aged About 19 Years, R/o Village Annapara (Dakshin Para) Police Station Ramchandrapur, District Balrampur Ramanujganj, Chhattisgrh
2. Mukesh Yadav, S/o Mahendra Yadav, R/o Village Bimlapur (Dindo) Police Station Trikunda District Balrampur Ramanujganj, Chhattisgarh

---- Respondents

For Applicant

Shri S. K. Mishra, PL

Hon'ble Justice Shri Prashant Kumar Mishra

Hon'ble Justice Shri Gautam Chourdiya

Order On Board by Prashant Kumar Mishra J.

31/07/2019

1. On due consideration, delay of 5 days in filing the CRMP is condoned. Accordingly, IA No.1/2018 is allowed.
2. The Trial Court has acquitted the accused of the charges under Sections 363, 366, 34, 376 (d) of IPC and Section 6 of the Protection of Children From Sexual Offences Act, 2012.
3. The prosecutrix examined as PW-3, her mother Prabha Devi (PW-2) and father Lalmohan Singh (PW-1) have not supported the case of the prosecution. They have denied that the accused persons have abducted and thereafter committed rape with the

prosecutrix.

4. In view of 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