

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****CRMP No. 2016 of 2019**

- State Of Chhattisgarh Through Station House Officer, Police Station Pasta, District Balrampur- Ramanujganj Chhattisgarh.

---- Applicant

**Versus**

- Kapil Dev Nage S/o Ramsundar Nage Aged About 30 Years, R/o Village Sitarampur Paath, Police Station Pasta, District Balrampur- Ramanujganj Chhattisgarh.

---- Respondent

---

For Applicant                      :-        Shri Aditya Sharma, PL

---

**Hon'ble Shri Justice Prashant Kumar Mishra &  
Hon'ble Shri Justice Gautam Chourdiya, JJ.**

**Order On Board****By****Prashant Kumar Mishra, J.****04/09/2019**

1. On due consideration delay of 318 days in filing the Cr.M.P. is condoned. Accordingly, I.A. No.01 of 2019 which is an application for condonation of delay in filing of instant Cr.M.P. is allowed.

2. The trial Court has acquitted the accused of the charges under Sections 376 (2) (ढ), 506 Part-II of I.P.C.
3. The prosecutrix aged about 22 years has not supported the prosecution at any stage of her examination. According to her statement, the alleged incident has never had happened with her.
4. Considering the nature and quality of evidence available on record, we are not inclined to grant leave to appeal against acquittal.
5. Accordingly, the Cr.M.P. deserves to be and is hereby dismissed.

SD/-  
(Prashant Kumar Mishra)  
Judge

SD/-  
(Gautam Chourdiya)  
Judge

Ayushi