

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**CRMP No. 2043 of 2019**

- The State Of Chhattisgarh Through Police Station Dongargaon, District Rajnandgaon, Chhattisgarh.

---- Applicant

Versus

- Bhagchand (Bhalchand) Sonkar S/o Ramdas Sonkar Aged About 22 Years R/o Village Rudgaon, Police Station Dongargaon, District Rajnandgaon, Chhattisgarh.

---- Respondent

For Applicant :- Shri Chitendra Singh, PL

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

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

1. On due consideration delay of 90 days in filing the Cr.M.P. is condoned. Accordingly, I.A. No. 01 of 2019, application for condonation of delay in filing the Cr.M.P. is allowed.
2. The trial Court has acquitted the accused of the charges under Sections 376 (2) (च) and 506 Part-II of I.P.C.

3. The prosecutrix examined as PW-7 has not supported the case of prosecution at any stage of her examination. Other material witnesses have also turned hostile.
4. The accused happens to be the brother-in-law (*Devar*) of the prosecutrix.
5. Considering the nature and quality of evidence available on record, we are not inclined to grant leave to appeal against acquittal.
6. Accordingly, the Cr.M.P deserves to be and is hereby dismissed.

SD/-
(Prashant Kumar Mishra)
Judge

SD/-
(Gautam Chourdiya)
Judge

Ayushi