

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No. 2061 of 2019

- Applicant

- Ganesh Kumar Kurre S/o Duje Kumar Kurre, Aged About 25 Years, R/o Village Murlidih, Police Station Mulmula, District Janjgir Champa Chhattisgarh.

---- Respondent

For Applicant-State :- Shri Aditya Sharma, PL

Hon'ble Shri Prashant Kumar Mishra

Hon'ble Shri Gautam Chourdiya, JJ.

Order on Board

By

Prashant Kumar Mishra, J

11/09/2019

1. Heard.
2. On due consideration, delay of 14 days in filing the present Cr.M.P. is condoned. Accordingly, I.A. No.1 is allowed.
3. The trial Court has acquitted the accused of the charges under Sections 363, 366, 366, 376(2)(ढ) of IPC and Section 6 of Protection of Children from Sexual Offences Act, 2012.

4. The prosecutrix, examined as PW-4 before the Trial Court, has turned hostile and has not supported the prosecution at any stage of her examination. Her mother, PW-3, Hiraundee Nishad has also turned hostile and would make contradictory statement during her cross examination. Even otherwise she is a hearsay witness.
5. Considering the fact that the prosecutrix herself has not supporting the prosecutrix version, the present is not a fit case for grant of leave to appeal against the acquittal.
6. Accordingly, Cr.M.P. is dismissed.

Sd/-

(Prashant Kumar Mishra)
Judge

Ankit

Sd/-

(Gautam Chourdiya)
Judge