

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No. 2079 of 2019

- State of Chhattisgarh, through- Station House Officer, Police Station- Jaijaipur, District- Janjgir-Champa (C.G.)

---- Petitioner

Versus

- Sunil Kumar Chandra, S/o- Gourilal Chandra, Aged about- 27 years, R/o- Village- Kashigarh, Police Station- Jaijaipur, District- Janjgir-Champa (C.G.)

---- Respondent

For State/Petitioner : Shri Ishwar Jaiswal, Panel Lawyer.

For Respondent : None.

Hon'ble Shri Justice Ram Prasanna Sharma

Order on Board

24/10/2019

1. Heard on application for grant of leave to appeal filed under Section 378(3) of the Code of Criminal Procedure, 1973.
2. This petition is directed against the judgment dated 19th March, 2019 passed by Special Judge (POCSO Act), Sakti, District- Janjgir Champa (C.G.) in Sessions Case No. 27/2016 wherein the said Court acquitted the respondent for charge under Section 354-A of IPC, 1860 and also under Section 8 of the Protection of Children from Sexual Offences Act, 2012 (for short 'the POCSO Act').
3. In the present case prosecutrix is PW-4, she did not support the version of the prosecution. As per version of this witness there was some dispute regarding delivery of goods that is why she reported the matter. She did not depose anything against the respondent that he made physical contact and advances involving the sexual overtures as defined under Section 354 of

IPC and also did not depose that the appellant committed any sexual assault against her as per Section 354-A of IPC, 1860.

The trial Court discussed the entire evidence

4. After going through the entire evidence, this Court has no reason to record contrary finding. It is not a case where the respondent should be called for hearing again for full consideration of this petition.
5. Accordingly, application for grant of leave to appeal is rejected. Consequently, the petition stands dismissed at motion stage itself.

Sd/-
(Ram Prasanna Sharma)
Judge