

HIGH COURT OF CHHATTISGARH, BILASPUR

- State of Chhattisgarh Through Police Station Lailunga, District Raigarh Chhattisgarh.

Versus

- Respondent

For Applicant-State :- Shri R. Tripathi, PL

Hon'ble Shri Gautam Chourdiya, JJ.

By

Prashant Kumar Mishra, J

23/09/2019

1. Heard.
2. On due consideration, delay of 330 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 and 376 of the IPC and Section 6

of the Protection of Children from Sexual Offences Act, 2012.

4. The accused allegedly abducted prosecutrix and committed forcible sexual intercourse on promise to marry, however, when examined in Court, the prosecutrix has not supported the prosecution at any stage of her examination. Her mother, Sukanti Bhagat (PW-2), and father, Rameshwar, (PW-3), have also turned hostile and have not supported the case of prosecution.
5. Considering the nature and quality of evidence available on record, we are not inclined to grant leave to appeal against the acquittal.
6. Accordingly, the present Cr.M.P. deserves to be and is hereby dismissed.

Sd/-
(Prashant Kumar Mishra)
Judge

Sd/-
(Gautam Chourdiya)
Judge

Ankit