

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**CRMP No. 2244 of 2019**

- State Of Chhattisgarh Through Station House Officer, Police Chowki Jute Mill, Police Station Kotwali, District Raigarh, Chhattisgarh.

---- Applicant

Versus

- Keshav Kumar Nande S/o Late Vedudhar Nande Aged About 24 Years R/o Kalma, Police Station Chandrapur, District Janjgir-Champa, Chhattisgarh.

---- Respondent

For Applicant-State :- Shri Chitendra Singh, PL

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

Order On Board**By****Prashant Kumar Mishra, J.****16/10/2019**

1. On due consideration delay of 180 days in filing of the Cr.M.P. is condoned. Accordingly, I.A. No.01 of 2019 which is an application for condonation of delay in filing of the Cr.M.P. is allowed.
2. The trial Court has acquitted the accused of the charge under Section 376(2)(n) of the I.P.C.

3. Bare reading of the statement of prosecutrix would reveal that she had an affair with the accused for atleast 06 years during which they had resided together at different places. She also gave birth to a child which was allegedly begotten from the accused.
4. The prosecutrix being more than 18 years of age and there being delay of about 06 years in lodging the FIR, the view taken by the trial Judge is perfectly borne out from the record.
5. No case for grant of leave to appeal is made out. Accordingly, the Cr.M.P. deserves to be and is hereby dismissed.

SD/-
(Prashant Kumar Mishra)
Judge

SD/-
(Gautam Chourdiya)
Judge

Ayushi