

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**CRMP No. 2248 of 2019**

- State Of Chhattisgarh Through- Police Station - Chhotebethiya, District - Uttar Bastar, Kanker Chhattisgarh.

---- Applicant

Versus

- Pranav Raut S/o- Shri Badal Raut Aged About 25 Years R/o - Rengawahi Shivpur Para, Police Station - Chhotebethiya, District - Uttar Bastar, Kanker Chhattisgarh.

---- Respondent

For Applicant-State :- Shri Rajendra Tripathi, 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 45 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 instant Cr.M.P. is allowed.
2. The trial Court has acquitted the accused of the charges

under Sections 363, 376(2)(n), 506 Part II of the I.P.C. and Sections 5(ठ), 6 of the Protection of Children from Sexual Offences Act, 2012.

3. The prosecutrix in her deposition admits that prior to the alleged incident involving the accused she was subjected to forcible sexual intercourse by one Ramsu Nareti and not by the present accused. Although, she made an allegation that the present accused had also committed forcible sexual intercourse but the fact remains that she never lodged any FIR against Ramsu Nareti and wrongly informed her parents as also to the Police that the baby given birth to, by her, belongs to the accused. Considering the narration of event involving two different boys her credibility is severely impeached and the trial Judge has not committed any error in acquitting the accused.
4. 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