

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No. 2259 of 2019

- State of Chhattisgarh Through Its Station House Officer, Police Station Sarsinwa, District Baloda Bazar Bhatapara Chhattisgarh.

---- Applicant

- Sukhnandan Kashyap S/o Vishnu Kashyap Aged About 26 Years Resident of Village Kanai Police Station Janjgir, District - Janjgir Champa Chhattisgarh.

---- Respondent

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

Hon'ble Shri Prashant Kumar Mishra

Hon'ble Shri Gautam Chourdiya, JJ.

Order on Board

By

Prashant Kumar Mishra, J

16/10/2019

1. Heard.
2. On due consideration, delay of 21 days in filing the present CRMP is condoned. Accordingly, I.A. No.1 is allowed.
3. The trial Court has acquitted the accused of the charges under Sections 366 and 376 of the IPC and Section 3(2)(v)

of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

4. The prosecutrix was more than 18 years of age on the date of incident. After conversation over mobile they started interacting and thereafter accused took her to different places and committed forcible sexual intercourse. The prosecutrix neither resisted nor offered protest at any stage when the accused was subjecting her to forcible sexual intercourse or when she was abducted and taken to different places.
5. The trial Court has rightly acquitted the accused of the charges.
6. No case for grant of leave to appeal is made out. Accordingly, the present CRMP deserves to be and is hereby dismissed.

Sd/-
(Prashant Kumar Mishra)
Judge

Sd/-
(Gautam Chourdiya)
Judge

Ankit