

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No. 2279 of 2018

State Of Chhattisgarh, Through- Police Station Mulmula, District- Janjgir-Champa,
Chhattisgarh. **---- Petitioner**

Versus

Arun Kumar, S/o Shivkumar Nirmalkar, Aged About 29 Years, R/o- Village Nariyara
(Sanjay Nagar), Police Station Mulmula, District- Janjgir-Champa, Chhattisgarh
---- Respondent

For State/Petitioner : Mr. Suryakant Mishra, Panel Lawyer

DB : Hon'ble Shri Justice Manindra Mohan Shrivastava

Hon'ble Smt. Justice Rajani Dubey

Order On Board

02/04/2019

Heard on (I.A. No.1) application for condonation of delay in filing application for grant of leave to appeal.

Upon due consideration, delay in filing application for grant of leave to appeal is condoned.

The application (I.A. No.1) is allowed.

Also heard on application for grant of leave to appeal.

1. Though the learned State counsel submits that the prosecution had come with the case of commission of rape on the prosecutrix, after going through the impugned judgment and the evidence on record, particularly, the statement of the prosecutrix (PW1), we find that the prosecutrix has not supported the case of the prosecution. She is major. She has clearly stated that she had gone along with the respondent accused and married with him. Therefore, the impugned judgment of acquittal does not warrant any interference.

2. Therefore, the present CRMP is dismissed.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Sd/-
(Rajani Dubey)
Judge