

HIGH COURT OF CHHATTISGARH, BILASPUR

- State of Chhattisgarh Through Police Station City Kotwali, District Balodabazar Bhatapara Chhattisgarh.

Versus

- Respondent

For Applicant-State :- Ms. Madhunisha Singh, PL

Hon'ble Shri Prashant Kumar Mishra

Hon'ble Shri Gautam Chourdiya, JJ.

Order on Board

By

Prashant Kumar Mishra, J

08/11/2019

1. Heard.
2. On due consideration, delay of 20 days in filing the present CRMP is condoned.
3. Accordingly, I.A. No.1 is allowed.
4. The trial Court has acquitted the accused of the charges under Sections 376, 506 and 323 of the IPC.

5. The prosecutrix is a married woman, aged about 27 years, having two children out of her marriage.
6. The accused was frequently visiting her house and in due course they developed intimacy and eventually they eloped together and went to different places where she was allegedly subjected to sexual intercourse.
7. Having seen the deposition of prosecutrix, examined as PW-2, we are satisfied that the trial Court's finding that she was a consenting party, does not appear to be perverse.
8. 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