

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

Cr.R. No. 1315 of 2019

- Nitish Kumar Kshatriya S/o Sharad Kumar Kshatriya Aged About 24 Years R/o Fathamuda Chowk, Jute Mill Raigarh, Out Post Jutemill, Police Station City Kotwali, Tahsil And District Raigarh, Chhattisgarh

---- Petitioner

Versus

- State Of Chhattisgarh Through S.H.O. Of The Police Station Sarangarh, District Raigarh, Chhattisgarh

---- Respondent

For Petitioner	:	Mr. Abhishek Saraf, Advocate.
For State/respondent	:	Mr. Adil Minhaj, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

23-10-2019

Heard.

1. This petition has been brought for the reason that the application filed by the petitioner for re-examination of the prosecutrix (P.W.-1) has been denied by the trial Court.
2. On perusal of the application filed, it is found that there is no such statement made by the prosecutrix which has not been examined, therefore, there is no such requirement. On the contrary, the application discloses the reason that the prosecutrix has given statement in the Court under the influence of her parents and now she wants to make a direct statement, which cannot be permitted. It is also submitted that subsequent to examination of prosecutrix an affidavit has been given by her grandfather in support of the petitioners. The petitioners are at liberty to make use of the affidavit and also examine the grandfather of the prosecutrix in their defence.
3. Accordingly, the petition stands disposed off.

Sd/-

(Rajendra Chandra Singh Samant)
Judge