

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**CRMP No. 506 of 2020**

- State Of Chhattisgarh Through The Incharge, Police Station Gandhinagar, District Surguja, Chhattisgarh

---- Applicant

Versus

- Gopal Ram Cherwa S/o Mohan Ram Cherwa Aged About 22 Years R/o Village Manjhapara Khaliba, Police Station Gandhinagar, District Surguja, Chhattisgarh

---- Respondent

For Applicant-State :- Mr. K.K. Singh, G.A.

Hon'ble Shri Justice Prashant Kumar Mishra
Hon'ble Shri Justice Gautam Chourdiya
Order On Board

By**Prashant Kumar Mishra, J.****26/02/2020**

1. On due consideration delay of 176 days in filing of the Cr.M.P. is condoned. Accordingly, I.A. No.01/2020, application for condonation of delay is allowed.
2. The trial Court has acquitted the accused of the charges under Sections 363, 366, 376(2)(ब) of the I.P.C and Section 5 (ब) read with Section 6 of the Protection of Children from

Sexual Offences Act, 2012.

3. The Prosecutrix, examined as PW-2, has turned hostile. She is making inconsistent or contradictory statements in her entire examination, however, she admits her love affair with the accused. When the trial Court put in question to her as to which of the two different versions about commission of offence by the accused is correct, she replied that the accused has not committed any offence with her.
4. Considering lack of evidence, no case for grant of leave to appeal is made out.
5. Accordingly, the Cr.M.P. deserves to be and is hereby dismissed.

SD/-
(Prashant Kumar Mishra)
Judge

SD/-
(Gautam Chourdiya)
Judge

Ayushi