

HIGH COURT OF CHHATTISGARH, BILASPUR

- State Of Chhattisgarh Through Police Station Darbha, District Bastar Chhattisgarh.

Versus

- Respondents

For Applicant-State :- Mr. Avinash Choubey, PL

By

Prashant Kumar Mishra, J.

1. On due consideration delay of 71 days in filing of the Cr.M.P. is condoned. Accordingly, I.A. No.01, for condonation of delay is allowed.
2. The trial Court has acquitted the accused persons of the

charges under Sections 366 क, 376, read with Section 107 of the IPC and Section 06 read with Section 17 of the Protection of Children from Sexual Offences Act, 2012.

3. Accused persons are parents of juvenile 'A' who allegedly brought the prosecutrix, aged about 15 years, to his house and committed forcible sexual intercourse for several months. As a result of the relationship she became pregnant and delivered a girl child who died after two days of birth.
4. Statement of the prosecutrix is apparent that the present accused persons are her maternal uncle (*Mama*) and maternal aunt (*Mami*). She admits that since the accused persons are close relatives, she used to visit their house and they had never forced her to live with juvenile 'A'.
5. In view of the deposition of the prosecutrix, no case for grant of leave to appeal is made out.
6. Accordingly, the Cr.M.P. deserves to be and is hereby dismissed.

SD/-
(Prashant Kumar Mishra)
Judge

SD/-
(Gautam Chourdiya)
Judge

Ayushi