

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****CRMP No. 886 of 2020**

- State of Chhattisgarh, Through its Police Station Kotwali, District Korba Chhattisgarh.

---- Petitioner**Versus**

- Raju Yadav S/o Pahalwan Yadav Aged About 39 Years R/o Podi Bahar, Near Old Labour Court Korba Chhattisgarh, District : Korba, Chhattisgarh

---- Respondent

For Petitioner**Shri K.K. Singh, Government Advocate.**

Hon'ble Shri Justice Prashant Kumar Mishra**Hon'ble Shri Justice Gautam Chourdiya****Order on Board by Justice Prashant Kumar Mishra****15/07/2020**

1. The matter is heard through Video Conferencing.
2. Heard on I.A. No.1.
3. This is an application for condonation of delay in filing the Cr.M.P.
4. On due consideration, delay of 360 days in filing the present Cr.M.P. is condoned. Accordingly, I.A. No.1 is allowed.
5. The accused/respondent has been acquitted of the charge under Sections 376(2)(N), 323 and 506 Part-II of Indian Penal Code vide judgment dated 02.04.2019 passed by the 2nd Additional Sessions Judge, District Korba, C.G. in Sessions Trial No.102 of 2018.

6. Prosecutrix is a married woman, aged about 30 years, having two children out of her previous wedlock. She happened to meet the accused on the way when she was proceeding for work. After exchange of mobile numbers, they remained connected which grew into relationship. The accused allegedly promised to keep her as his second wife and continued to sexually exploit the prosecutrix.
7. Deposition of the prosecutrix would reveal that when the accused asked her to stay with him she refused and thereafter the accused dropped her at village Sitamani in her own house.
8. The prosecutrix being a grown up married woman and she herself having entered into consensual sexual relationship, the learned trial Court has not committed any error in holding that the alleged offences are not made out.
9. No case for grant of leave to appeal is made out.
10. Accordingly, the CRMP deserves to be and is hereby dismissed.

Sd/-
Prashant Kumar Mishra
Judge

Sd/-
Gautam Chourdiya
Judge