

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**CRMP No. 922 of 2020**

- State Of Chhattisgarh Through - Police Station - Batouli, District - Surguja Chhattisgarh.

---- Applicant

Versus

- Akash Sharma, S/o Shri Gourishankar Sharma, Aged About 22 Years R/o Village Suarpara, Police Station Batouli, District - Surguja Chhattisgarh.

---- Respondent

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

Proceedings through Video Conferencing**Hon'ble Shri Justice Prashant Kumar Mishra &
Hon'ble Shri Justice Gautam Chourdiya****Order On Board****By****Prashant Kumar Mishra, J.****16/07/2020**

1. On due consideration delay of 214 days in filing of the instant Cr.M.P. is condoned. Accordingly, I.A.No. 01/2020, application for condonation of delay occurred in filing of the Cr.M.P. is allowed.

2. The trial Court has acquitted the accused of the charges under Sections 363, 342, 377 of the I.P.C. ; Section 3 (क)/4 of the Protection of Children from Sexual Offences Act, 2012 and Section 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.
3. The victim, examined as PW-2 has turned hostile without supporting the prosecution at any stage of his examination. Even during cross-examination, he denied to have made any statement to the Police that the accused abducted him and committed unnatural sex.
4. In view of the evidence on record, 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