

HIGH COURT OF CHHATTISGARH, BILASPUR**CRMP No. 1032 of 2020**

- State Of Chhattisgarh Through The Incharge, Police Station Ajk, District - Raigarh Chhattisgarh., District : Raigarh, Chhattisgarh

---- **Petitioner****Versus**

- Gangadhar Bairagi @ Baijnath S/o Gurudeo Bairagi Aged About 27 Years R/o Village Tora, P.S. Sariya, District Raigarh Chhattisgarh., District : Raigarh, Chhattisgarh

---- **Respondent**

For petitioner/State : Mrs. Hamida Siddiqui, Dy.A.G.

DB: Honorable Shri Justice Manindra Mohan Shrivastava**Honorable Smt. Justice Vimla Singh Kapoor.****Order on Board****17-12-2020**

1. Heard.
2. Even if we were inclined to condone the delay after hearing learned counsel for the State, in our considered opinion, present is not a fit case for grant of leave to appeal.
3. Learend trial Court has acquitted the accused from the charges of commission of offence under Sections 376(2)(k)(n), 493 of IPC and Section 3(2)(v), 3(1)(w)(ii) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.
4. Taking into consideration the evidence of the prosecutrix herself regarding long standing love affair and relationship between the parties which involved sexual relationship also and further taking into consideration the entire circumstances, age of the parties, the manner in which the prosecutrix and accused remained together for a long time and

moved from one place to other, in our considered opinion, the view taken by the learned trial court is plausible and possible. In the absence of any patent illegality and perversity in the impugned order, we do not find any scope for grant of leave to appeal, even the limited scope for interference.

5. Accordingly, CRMP is rejected.

Sd/-

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(Manindra Mohan Shrivastava)
Judge

(Vimla Singh Kapoor)
Judge

Raju