NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No. 1595 of 2018

- State Of Chhattisgarh Through Police Station Korar, District Uttar Bastar Kanker Chhattisgarh

---- Applicant

Versus

- Dileshwar Nishad S/o Shri Shivprasad Nishad Aged About 22 Years R/o Village Aawaspara Korar, Police Station Korar, District Uttar Bastar Kanker Chhattisgarh

---- Respondent

For Applicant-State :- Shri 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.

27/01/2020

1. On due consideration delay of 48 days in filing of the Cr.M.P. is condoned. Accordingly, I.A. No.01/2018, for condonation of delay in filing of the instant Cr.M.P. is allowed.

2. The trial Court has acquitted the accused of the charges under Sections 363, 366, 376 of the I.P.C. and Section 3(2) (v) (क) of the Scheduled Caste and Scheduled Tribe

(Prevention of Atrocities) Act, 1989 and Section 344 of the I.P.C. and Section 4 of the Protection of Children from Sexual Offences Act, 2012.

3. The prosecutrix aged about 20 years examined as PW-1 has turned hostile. She has not supported the prosecution at any stage of her examination. She has clearly stated that she has married with the accused and he is her husband.

4. 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