

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**ACQA No. 691 of 2019**

- Neelam Lakra D/o Mantri Ram Lakra Aged About 30 Years R/o - Pathrripara, Ward No . 13, Korba, District - Korba Chhattisgarh.

---- Petitioner**Versus**

1. Satya Parkash Pekra S/o Shri Umeshwar Singh Aged About 27 Years R/o - Village Rajni, Post Baijnathpur Baiyathan, Surajpur, District Surajpur Chhattisgarh. At Present - Near T.V. Tower, Police Station Charkradhar, District - Raigarh Chhattisgarh.
2. State Of Chhattisgarh Through Station House Officer, Police Station - Pussore, Raigarh, District Raigarh Chhattisgarh.

---- Respondents

For Petitioner	:-	Shri Y.C. Sharma, Advocate with Shri Ajay Chandra, Advocate.
For Respondent-State	:-	Shri Avinash Choubey, PL

**Hon'ble Shri Justice Prashant Kumar Mishra &
Hon'ble Shri Justice Gautam Chourdiya
Judgment On Board**

By**Prashant Kumar Mishra, J.****03/01/2020**

1. This appeal is directed against the impugned judgment of acquittal rendered by the trial Court vide judgment dated 13.08.2019 in Sessions trial No.03/19 acquitting the accused of

the charge under Section 376 (2) n of I.P.C.

2. Admittedly, the prosecutrix and the accused were working as Block Resource Coordinator (B.R.C.) in the Rajiv Gandhi Shiksha Mission, Pussore and Sarangarh respectively. They met at a Departmental Camp at Raigarh and exchanged their mobile numbers. Their friendship continued over facebook also. As per the prosecutrix, the accused proposed to marry her but she refused on the ground that although both of them belong to tribal community but she follows Christian religion and accused follows Hindu religion. Despite this refusal by the prosecutrix their sexual relation continued for about 03 years. It is further revealed from her statement that after 03 years the prosecutrix was transferred to Sarangarh where the accused was already posted. At this point of time the accused started ignoring her. After this behavior of the accused the prosecutrix lodged FIR saying that the accused has refused to marry her after having sexually exploited her on pretext of marriage.
3. The trial Judge has rightly acquitted the accused on the ground that the prosecutrix herself having refused to marry the accused, no case for exploiting her on pretext of marriage is made out.
4. The Acquittal Appeal is without any substance. Accordingly, it deserves to be and is hereby dismissed.

SD/-
(Prashant Kumar Mishra)
Judge

SD/-
(Gautam Chourdiya)
Judge

Ayushi