

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**CRMP No. 74 of 2020**

- State Of Chhattisgarh Through Station House Officer, Police Station Chakradharnagar, District Raigarh, Chhattisgarh

**---- Applicant**

**Versus**

- Amit Kumar, S/o Mayaram Kaiwart, Aged About 21 Years, R/o Beltukri, Police Station Masturi, District Bilaspur, Chhattisgarh

**---- Respondent**

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For Applicant

Shri K. K. Singh, GA

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**Hon'ble Justice Shri Prashant Kumar Mishra**

**Hon'ble Justice Shri Gautam Chourdiya**

**Order On Board by Shri Prashant Kumar Mishra J.**

**15/01/2020**

1. On due consideration, delay of 128 days in filing the CRMP is condoned. Accordingly, IA No.1/2020 is allowed.
2. The Trial Court has acquitted the accused of the charges under Sections 363, 366 & 376 of IPC and Section 4 of the POCSO Act, 2012.
3. The prosecutrix examined as PW-1 initially supported the prosecution, but at a later stage in the cross-examination, she denied that the accused has either abducted or committed forcible sexual intercourse with her. The parents of the prosecutrix examined as PW-2 Narayan Prasad and PW-3 have also turned hostile and have not supported the prosecution.

4. Considering the quality of evidence on record, the present is not considered to be a fit case for grant of leave to appeal.
5. Accordingly, the CRMP is dismissed.

Sd/-  
Prashant Kumar Mishra  
Judge

Sd/-  
Gautam Chourdiya  
Judge

Nirala