

HIGH COURT OF CHHATTISGARH, BILASPUR**CRMP No.587 of 2017**

- State Of Chhattisgarh Through District Magistrate Bilaspur, Chhattisgarh., Chhattisgarh

---- Petitioner**Versus**

- Vishal Humne S/o N R Humne Aged About 29 Years R/o Samta Colony, Magarpara , Police Station Civil Line, District Bilaspur, Chhattisgarh., Chhattisgarh

---- Respondent

Shri Lalit Jangde, GA for appellant/State.

**Division Bench: Hon'ble Shri Justice Manindra Mohan Shrivastava &
Hon'ble Smt. Justice Vimla Singh Kapoor
Order On Board**

05/01/2021

1. Learned State counsel prays for grant of leave to appeal.
2. Even, we are inclined to condone the delay in filing the instant petition, after going through the impugned judgment of acquittal and particularly taking into consideration the statement of the prosecutrix, PW-5, we are not inclined to grant leave to appeal, because, on a complete reading of the evidence of the prosecutrix and the impugned judgment, we find that the possible and plausible view has been taken by the learned trial Court, in the backdrop of the evidence of the prosecutrix, a mature lady, having longstanding physical relationship with the accused and their marriage was also settled and before fixation for solemnization of marriage, it could not materialize and then, FIR was lodged in the police station.
3. In the result, the petition is dismissed.

**SD/-
(Manindra Mohan Shrivastava)
Judge**

**SD/-
(Vimla Singh Kapoor)
Judge**