

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No.168 of 2018

State Of Chhattisgarh Through Station House Officer, Police Station
Sarsiwa, District Balodabazar Bhatapara Chhattisgarh ---- **Petitioner**

Versus

Shivnath @ Shiv S/o Babulal @ Padum Ratnesh Aged About 22 Years
R/o Village Bharda Police Station Kosir District Raigarh Chhattisgarh

---- **Respondent**

For State/Petitioner : Mrs. Fouzia Mirza, Additional A.G.

DB : Hon'ble Shri Justice Manindra Mohan Shrivastava

Hon'ble Smt. Justice Vimla Singh Kapoor

Order On Board

05/01/2021

Heard on application for grant of leave to appeal.

1. Even if we were inclined to condone delay in filing application, after going through the impugned judgment and particularly the evidence of the prosecutrix, we are of the opinion that the learned Trial Court had left with no other option but to grant acquittal because the prosecutrix did not at all involve the accused and has turned completely hostile stating that nothing happened to her. On the face of such evidence, the acquittal of the accused does not suffer from any patent illegality or perversity calling for interference by this Court.

2. Accordingly, CRMP is dismissed.

Sd/-

(Manindra Mohan Shrivastava)
Judge

Sd/-

(Vimla Singh Kapoor)
Judge