

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No. 190 of 2021

- State Of Chhattisgarh Through Police Station Asta, District Jashpur Chhattisgarh., District : Jashpur, Chhattisgarh

----Petitioner.

Versus

- Sushil Kumar S/o Basant Ram Aged About 24 Years R/o Village Kandora, Manora District Jashpur Chhattisgarh., District : Jashpur, Chhattisgarh.

---Respondent.

For the Petitioner/State :- Mr. K.K. Singh, GA.

Hon'ble Shri Justice Manindra Mohan Shrivastava
Hon'ble Smt. Justice Vimla Singh Kapoor,

Order on Board by Justice Manindra Mohan Shrivastava J.
22.02.2021

Heard on prayer for condonation of delay as well as grant of leave to appeal.

2. Application for grant of leave to appeal has been filed after inordinate delay of 379 days. Though the learned State counsel would submit that the prosecutrix has stated regarding she having been subjected to rape against her consent, the trial Court while granting acquittal has taken into consideration that the prosecutrix was a major and married lady and she has stated in her evidence that she had a long standing affair with the applicant and later on she left her husband and started living with the accused for more than one year and the occasioned to lodge report arose when the accused left her and started living with another woman. There is absolutely no scope for interference in the judgment of acquittal.

3. Accordingly, the application for grant of leave to appeal is **rejected.**

Sd/-
(Manindra Mohan Shrivastava)
Judge

Sd/-
(Vimla Singh Kapoor)
Judge