

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**CRMP No. 658 of 2019**

- State Of Chhattisgarh Through Station House Officer, Police Station Kurud, District Dhamtari Chhattisgarh

---- Petitioner

Versus

- Ramesh Kumar Kanwar S/o Manharan Lal Kanwar Aged About 28 Years R/o Village Harinbhattha, Police Station Palari, Presently R/o Village Chati, Police Station Kurud District Dhamtari Chhattisgarh

---- Respondent

For State / Petitioner : Shri Amit Verma, Panel Lawyer

D.B.- Hon'ble Shri Justice Manindra Mohan Shrivastava**Hon'ble Smt. Justice Vimla Singh Kapoor****Order On Board****15/02/2021**

Heard on application for condonation of delay in filing of the appeal as also application for grant of leave to appeal.

Even if we are inclined to condone the delay in filing application for grant of leave to appeal, we do not find that there is any merit in this application.

Though learned State counsel submits that the prosecutrix has stated regarding commission of rape on her, we find that the main operative reason for acquitting the respondent is that the accused and the prosecutrix were known to each other since long and there was long standing affair and the FIR was lodged on the allegations that sexual intercourse was repeatedly done on false pretext of marriage. The view which has been taken by the Court below is possible and plausible on the set of evidence, particularly, that of the prosecutrix herself. Therefore, no case of grant of leave to appeal is made out. The CrMP is accordingly dismissed.

Sd/-

(Manindra Mohan Shrivastava)
Judge

Sd/-

(Vimla Singh Kapoor)
Judge