

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No.1158 of 2019

State Of Chhattisgarh Through The Incharge, Police Station Hasoud,
District Janjgir Champa Chhattisgarh ----- **Petitioner**

Versus

Danesh @ Daneswer Kashyap S/o Bhagram Aged About 28 Years R/o
Village Malda Police Station Hasoud, District Janjgir - Champa
Chhattisgarh ----- **Respondent**

For State/Petitioner : Mr. Praveen Shrivastava, Panel Lawyer

DB : Hon'ble Shri Justice Manindra Mohan Shrivastava

Hon'ble Smt. Justice Vimla Singh Kapoor

Order On Board

23/02/2021

Heard.

1. Even if we were inclined to condone the delay in filing the instant appeal, we do not find any merit in this case.
2. Though learned counsel for the State would submit that the prosecutrix had made serious allegation against the accused under Section 164 Cr.P.C. statement recorded before the Magistrate, we find that in the Court below, she has not supported the prosecution case and stated that she had an affair with the accused and thereafter they got married. It is not a case of prosecutrix being minor. Therefore, no case is made out.
3. The CRMP is accordingly dismissed.

Sd/-

(Manindra Mohan Shrivastava)
Judge

Sd/-

(Vimla Singh Kapoor)
Judge