

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No. 936 of 2020

- State Of Chhattisgarh Through Police Station Khairagarh, Crime No. 256/18, District Rajnandgaon Chhattisgarh, District : Rajnandgaon (CG) ----- **Petitioner.**

Versus

- Yogendra Singh @ Yugal Singh Thakur S/o Preetam Singh Thakur, Aged About 24 Years R/o Karmachari Nagar Durg, Police Station Mohan Nagar, Durg (CG) --- **Respondent.**

For the State :- Mr. Mateen Siddiqui, Dy. AG.

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

Per Manindra Mohan Shrivastava, J.

06.08.2021

Heard on application for condonation of delay as well as prayer for grant of leave to appeal against the judgment of acquittal.

Even if, we were inclined to condone the delay, upon due consideration we do not find that the judgment of learned trial Court suffers from any patent illegality or perversity. The prosecutrix' statement clearly shows that it was a consensual affair and sexual intercourse. The author who made entries in the school register was not examined and one who was examined does not know on what basis such entries were made. The parents, brother of the prosecutrix as also the prosecutrix statement renders highly doubtful that at the time of commission of offence she was 18 years of age, therefore, there is no merit in this case.

CRMP is accordingly **dismissed**.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Sd/-
(Vimla Singh Kapoor)
Judge