

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No. 1446 of 2019

Ku. Kalawati Panika D/o Shivrath Panika Aged About 32 Years R/o Village Sendha, Police Station Podi, Tahsil Podi, District Korla, Chhattisgarh., District : Koriya (Baikunthpur), Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Police Station In Charge Officer Podi, District Korla Chhattisgarh., District : Koriya (Baikunthpur), Chhattisgarh
2. Naresh Kumar S/o Let Mohit Ram Caste Panika, Aged About 29 Years, R/o Village Sirsee, Navapara, Police Station Bhaiyathan, District Surajpur, Present Address Aajad Colony, Kapildhara, Police Station Bijuri, District Anuppur (M.P.), District : Anuppur, Madhya Pradesh

---- Respondents

For Petitioner : Shri C.K. Kesharwani, Advocate

For State : Shri Shubham Verma, Panel Lawyer

D.B. :Hon'ble Shri Justice Manindra Mohan Shrivastava & Hon'ble Smt. Justice Vimla Singh Kapoor

Order On Board

23/02/2021

Heard on admission.

1. The acquittal of the accused/respondent No.2 is on the consideration of the evidence of the prosecutrix who has stated regarding longstanding relationship between her and the accused and lodging of report long after continuous relationship when marriage could not materialize and the prosecutrix came to know that the accused was going to marry elsewhere. The prosecutrix is said to be aged 32 years. In this background, finding of the trial Court that a case of rape is not made out does not suffer from any perversity or patent illegality warranting interference given the limited

scope of interference against the judgment of acquittal.

2. The petition (Cr.M.P.) is accordingly dismissed.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Sd/-
(Vimla Singh Kapoor)
Judge

Praveen