

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Cr.M.P.No.1080 of 2020**

Ravi Kumar Shrivastva, S/o Shri Raj Kishor Shrivastava, aged about 37 years, R/o Village-Katghora, Police Station-Katghora, Civil & Revenue District-Korba (CG)

---Petitioner***Versus***

1. State of Chhattisgarh, Through the Station House Officer, Police Station-Katghora, Civil & Revenue District-Korba (CG)
2. Pooja Gupta D/o Shri Chhote Lal Gupta, aged about 23 years, R/o Village-Sirmina, Police Chauki-Korbi, Police Station-Pasaan, Tahsil-Podi-Uroda, Civil & Revenue District-Korba (CG)

---Respondents

For Petitioner : Mr.Parasmani Shriwas, Advocate
 For Respondents/State: Mr.Ravi Bhagat, Dy.G.A.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****4/2/2021**

1. By way of this petition under Section 482 of the CrPC, the petitioner seeks quashment of FIR registered in Crime No.110/2020 at Police Station-Katghora, Distt. Korba for offence punishable under Sections 376 and 506 of the IPC of the IPC alleging that the petitioner on the pretext of marriage committed sexual intercourse with respondent No.2 and refused to marry with her and threatened to kill her.
2. Heard Mr.Parasmani Shriwas, learned counsel for the petitioner on the question of admission and for grant of stay.
3. Learned counsel for the petitioner would submit that

the petitioner has not committed any offence and he has falsely been implicated in crime in question. The prosecutrix is major lady and consenting party and as such, no offence is made out against the present petitioner and FIR deserves to be quashed.

4. A careful perusal of the FIR would show that on the pretext of marriage, the petitioner has committed sexual intercourse with respondent No.2.
5. The crime here is rape. It is a particularly heinous crime, a crime against society, a crime against human dignity, one that reduces a man to an animal.
6. Considering the allegation made in the FIR and material available on record, further considering the role of the present petitioner, taking into consideration that offence under Section 376 of the IPC being a sexual offence would fall in the category of heinous and serious offences and therefore, are to be treated against the society, I do not consider it a fit case to exercise the jurisdiction under Section 482 of the CrPC.
7. Accordingly, the petition under Section 482 of the CrPC deserves to be and is hereby dismissed in *limine* without notice to other side. No cost(s).

Sd/-

(Sanjay K. Agrawal)
Judge

B/-