

HIGH COURT OF CHHATTISGARH, BILASPUR**CRMP No.1144 of 2020**

- State Of Chhattisgarh Through The Police Station Pasta, District Balrampur-Ramanujganj Chhattisgarh, District : Balrampur, Chhattisgarh

---- Petitioner**Versus**

- Veerbandha Nageshiya S/o Parsan Nageshiya Aged About 26 Years R/o Village Kanda(Uparkanda) P. S. Pasta, District Balrampur-Ramanujganj Chhattisgarh, District : Balrampur, Chhattisgarh

---- Respondent

Shri Praveen Shrivastava, Panel Lawyer for petitioner/State.

**Division Bench: Hon'ble Shri Justice Manindra Mohan Shrivastava &
Hon'ble Shri Justice Narendra Kumar Vyas**
Order On Board

06/04/2021

1. Heard on prayer for grant of leave to appeal.
2. Upon due consideration the prayer for grant of leave to appeal, we do not find any merit in the application, because the learned trial Court has acquitted the accused taking into consideration that the prosecutrix in her statement has stated that the FIR has been lodged after 10 days, she is a major lady and has admitted that if she wanted, she could call for help from other members of the family, further taking into consideration that there existed enmity between the prosecutrix and the accused as also there was a dispute between the father-in-law of the prosecutrix and the accused. We further find that the prosecution witnesses have given different statement with regard to purpose, for which, the Panchayat was called and what was disclosed to the witnesses by the husband of the prosecutrix.
3. The view taken by the learned trial Court is plausible and possible view and does not suffer from any patent illegality and perversity as to warrant interference by this Court against the impugned judgment of acquittal.
4. Accordingly, the application (Cr.M.P.No.1144 of 2020) is dismissed.

SD/-
(Manindra Mohan Shrivastava)
Judge

SD/-
(Narendra Kumar Vyas)
Judge