

HIGH COURT OF CHHATTISGARH, BILASPUR
CRMP No. 1157 of 2020

- State Of Chhattisgarh Through Police Station Basantpur, District Balrampur Ramanujganj Chhattisgarh. ---- **Petitioner**

Versus

- Sonu Minj S/o Ramphal Minj Aged About 23 Years Resident Of Village Sundarpur (Chitkipara), Police Chowki Manipur , Police Station Kotwali , Ambikapur , District Surguja, CG. ---- **Respondent**

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- Mr. K.K. Singh, GA for the State.
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D.B.: Hon'ble Shri Justice Manindra Mohan Shrivastava

Hon'ble Smt. Justice Vimla Singh Kapoor

Order on Board

Per Manindra Mohan Shrivastava, J.

02.02.2021

Heard on prayer for grant of leave to appeal.

2. There is application for condonation of delay in this appeal.
3. Even if we condone the delay, in our considered opinion there is no merit in this case.
4. Though learned counsel for the State would submits that in the present case prosecutrix has clearly stated regarding commission of offence of rape on her, and she is a minor, having gone through the evidence and the judgment by the trial Court, we find that the evidence on record does not show that the prosecutrix was minor but on the other hand, overwhelming evidence of she being major is there. The finding of the trial Court is quite possible and plausible that the accused and prosecutrix were having love relationship and both of them had run away without informing anyone in the family and remained away from their house and place of residence until they

were recovered by the family members. Therefore, we do not consider present to be a fit case for grant of leave to appeal.

5. Accordingly, application is **rejected**.

Sd/-

(Manindra Mohan Shrivastava)
Judge

Sd/-

(Vimla Singh Kapoor)
Judge