

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

CRMP No. 854 of 2021

State of Chhattisgarh **Versus** Jhuna Ram & Others

03.09.2021	Heard Shri Lalit Jangde, learned counsel for the State on prayer for grant of leave to appeal. Though, learned counsel would submit that the prosecution story of prosecutrix, who is minor, having been subjected to pregnant because of the sexual intercourse with the juvenile and there being miscarriage is proved from the evidence of Dr. Lata Goyal(PW-5), we find that the prosecutrix has not alleged and involved the respondents/accused in the alleged commission of offence of causing miscarriage. In cross-examination, it has been elicited that she had fallen down and sustained injury because of which she started bleeding and was taken to hospital. The evidence of Dr. Lata Goyal (PW-5), at the most, would prove that it was a case of miscarriage but to involve a person and punish for causing of miscarriage, the evidence is absent from the prosecution witnesses and, therefore, we do not find any patent illegality or perversity in the order of the Court below in acquitting the accused by giving him benefit of doubt. Therefore, there is no ground to interfere with the impugned judgment of earlier. Accordingly, CRMP is dismissed. Sd/- (Manindra Mohan Shrivastava) Judge Sd/- (Rajani Dubey) Judge	
HL Sahu		