

HIGH COURT OF CHHATTISGARH, BILASPUR**CRMP No. 1290 of 2020**

- State Of Chhattisgarh Through Police Station Jashpur, District Jashpur Chhattisgarh

---- Petitioner**Versus**

- Roshan Tirkey S/o Stanishlash Tirkey, Aged About 24 Years R/o Village Of The Prosecutrix, Police Station Jashpur, District Jashpur Chhattisgarh

---- Respondent

For Petitioner / State : Shri Praveen Shrivastava, Panel Lawyer

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

Order On Board**01/02/2021**

Heard on prayer for grant of leave to appeal.

Though, learned State counsel would argue that in the present case, medical evidence clearly show that the prosecutrix is habitual to sexual intercourse and the evidence with regard to age also shows that she is a minor, in view of the evidence of the prosecutrix herself in the Court that she did not identify the accused in the Court and emphatically denied all stands of the prosecution that nothing happened to her, much less anything done by the applicant, in the opinion of this Court, learned Trial Court left with no option but to acquit the accused. Therefore, there is no merit in this petition.

The CrMP is accordingly dismissed.

Sd/-

(Manindra Mohan Shrivastava)
Judge

Sd/-

(Vimla Singh Kapoor)
Judge