

HIGH COURT OF CHHATTISGARH, BILASPUR**CRMP No.637 of 2017**

State Of Chhattisgarh Through Police Station Mahila Thana, Ambikapur,
District Surguja, Chhattisgarh

---- **Petitioner**

Versus

Rajkumar Tirki S/o Ramkripal Tirki, Aged About 29 Years R/o Village
Pandripani, Police Station Sitapur, District Surguja, Chhattisgarh.

---- **Respondent**

For State/Petitioner : Mrs. Hamida Siddiqui, Dy. A.G.

DB : Hon'ble Shri Justice Manindra Mohan Shrivastava

Hon'ble Smt. Justice Vimla Singh Kapoor

Order On Board

05/01/2021

Heard on application for grant of leave to appeal.

1. Learned State counsel would argue that in the present case though the prosecutrix and the accused were having long standing relationship of about 4 years and the prosecutrix had become pregnant more than once, the basis of the prosecution case is that whatever happened was only on false pretext of marriage and when accused refused to marry the prosecutrix, report was lodged.
2. We have gone through the impugned judgment and evidence on record, particularly that of the prosecutrix (PW3). The evidence shows that the prosecutrix and the accused were having long standing affair and physical relationship of about 4 years during which the prosecutrix became pregnant more than once. When for some reasons marriage could not be materialized, it ended in lodging of criminal case. On the face of such evidence on record, the view taken by learned Trial Court is plausible and possible view which does not call for any interference, given the limited scope of interference against the judgment of acquittal. No case is made out for grant of leave to appeal.
3. Accordingly, CRMP is dismissed.

Sd/-

(Manindra Mohan Shrivastava)
Judge

Sd/-

(Vimla Singh Kapoor)
Judge