

HIGH COURT OF CHHATTISGARH, BILASPUR**CRMP No.2118 of 2018**

- State Of Chhattisgarh Through The Station House Officer Police Station Balouda District Janjgir Champa Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Petitioner

Versus

- Sanjay Kumar Netam S/o Late Kartikram Netam Aged About 21 Years R/o Achanakpur Police Station Chakarbhata District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Respondent

Present:-

Shri Neeraj Pradhan, Panel Lawyer for State/petitioner.

**Division Bench: Hon'ble Shri Justice Manindra Mohan Shrivastava &
Hon'ble Smt. Justice Vimla Singh Kapoor
Order On Board**

19/01/2021

1. Heard on application (I.A.No.1/2018) for condonation of delay in filing of acquittal appeal.
2. Even we are inclined to condone the delay in filing acquittal appeal, there is no merit in the application.
3. The prosecutrix has come out with the story of affair and solemnization of marriage between the prosecutrix and the accused. The learned trial Court has recorded a finding that the prosecutrix and her father both have stated that the prosecutrix is major in age and the documentary evidence with regard to age of the prosecutrix, though filed along with the charge sheet, has not been proved by any of the witnesses. Therefore, no case for grant of leave to appeal is made out.
4. Accordingly, the Criminal Miscellaneous Petition is dismissed.

**SD/-
(Manindra Mohan Shrivastava)
Judge**

**SD/-
(Vimla Singh Kapoor)
Judge**