

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No. 2277 of 2018

State of Chhattisgarh Through the Incharge Police Station Kotwali
Raigarh, District Raigarh Chhattisgarh

---- Appellant

Versus

Kunjai Chauhan S/o. Paklu Chauhan, aged about 30 years, R/o. Village
Nibaumuda, P.S. Saraipali, District Mahasamund (CG) present address
Krishnapur, P.S. Kotraroad Raigarh, District Raigarh(CG)

---- Respondent

For the Appellant :- Mrs. Hamida Siddique, Dy. AG
For the respondent :- None

Hon'ble Shri Justice Manindra Mohan Shrivastava
Hon'ble Smt. Justice Vimla Singh Kapoor,

Order on Board By Manindra Mohan Shrivastava, J.

20.01.2021

Heard on the application for grant of leave to appeal.

2. Even if, we are inclined to condone the delay in filing the application, we do not find any merit in the application because the prosecutrix has not been examined and even if it is accepted that the prosecutrix was mentally retarded, there is no oral evidence on record to show that the prosecutrix was found in compromising situation with the appellant or any other evidence to connect the respondent with the alleged commission of offence due to which the accused has been granted benefit of doubt and acquitted of the

charge. The application is therefore, rejected as without merit.
Accordingly the CRMP is dismissed.

Sd/-

Manindra Mohan Shrivastava
Judge

Sd/-

Vimla Singh Kapoor
Judge

santosh