

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No. 106 of 2020

- State Of Chhattisgarh Through Station House Officer, Police Station Lalbagh, District Rajnandgaon Chhattisgarh., District : Rajnandgaon, Chhattisgarh. ----- **Petitioner.**

Versus

- Roshan Yadu S/o Alakhram Yadu Aged About 25 Years R/o Mahamayapara Ward No. 62, Police Station Purani Basti, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh ----- **Respondent.**

For the State :- Mr. Lalit Jangde, Dy. GA.

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

Order on Board by Justice Manindra Mohan Shrivastava, J.
04.08.2021

Heard on application for condonation of delay as well as prayer for grant of leave to appeal.

Even if, we were inclined to condone the delay, taking into consideration that the acquittal has been granted in view of the prosecutrix own statement of she having a very long sexual relationship with the accused and that she herself was married, the finding of the Court below that it was a case of consensual sexual intercourse between the prosecutrix and the appellant and that prosecutrix was major and married also, there is no scope for grant of leave to appeal.

CRMP is accordingly **dismissed**.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Sd/-
(Vimla Singh Kapoor)
Judge