

HIGH COURT OF CHHATTISGARH, BILASPUR

- State Of Chhattisgarh Through- Police Station Kotwali, District Korba, Chhattisgarh.

- Akash Sonwani @ Monu S/o Mohan Lal Aged About 20 Years R/o Gokulganj Ward No. 8, Sitamani, Korba, P.S. Kotwali, District Korba, Chhattisgarh.

For Applicant-State :- Mr. Chitendra Singh, PL

**Prashant Kumar Mishra, J.**

1. On due consideration delay of 21 days in filing of the Cr.M.P. is condoned. Accordingly, I.A. No.01/2020, application for condonation of delay is allowed.

2. The trial Court has acquitted the accused of the charges under Sections 366, 506, 344, 376(2)(n) of the I.P.C.

3. The prosecutrix, examined as PW-1, has not made definite allegation of commission of forcible sexual intercourse but at

the later stage of cross examination she denies the same. After the alleged incident she is now married to some other boy. Mother of the prosecutrix has been examined as PW-2. She would state that since her daughter had already married, she may be allowed to live a peaceful married life.

4. Considering the evidence adduced by the prosecution in its entirety, the present is not considered to be a fit case for grant of leave to appeal.
5. Accordingly, the Cr.M.P. deserves to be and is hereby dismissed.

SD/-  
**(Prashant Kumar Mishra)**  
Judge

SD/-  
**(Gautam Chourdiya)**  
Judge

Ayushi