

(2019) 10 CHH CK 0100

In the Chhattisgarh High Court

Case No : Criminal Miscellaneous Petition (CRMP) No. 2263 Of 2019

State Of Chhattisgarh

APPELLANT

Vs

Parasram Kenwat

RESPONDENT

Date of Decision : 16-10-2019

Acts Referred:

Indian Penal Code, 1860 — Section 376(2)

Scheduled Castes And Scheduled Tribes (Prevention Of Atrocities) Act, 1989 — Section 3(1)(12), 3(1)(i), 3(1)(ii)

Citation : (2019) 10 CHH CK 0100

Hon'ble Judges : Prashant Kumar Mishra, J;Gautam Chourdiya, J

Bench : Division Bench

Advocate : Neeraj Mehta

Final Decision : Dismissed

Judgement

Prashant Kumar Mishra, J

1. Heard.

2. On due consideration, delay of 569 days in filing the present CRMP is condoned. Accordingly, I.A. No.1 is allowed.

3. The trial Court has acquitted the accused of the charges under Section 376(2) of the IPC and Sections 3(1)(12) and 3(1)(-i)(-ii) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

4. Admittedly the prosecutrix was more than 18 years of age at the time of incident. As a matter of fact she is already married and having 4 children yet she entered into relationship with the accused and their sexual intercourse continued for about 2-3 years.

5. The trial Court has rightly acquitted the accused of the charges.

6. In view of the above, no case for grant of leave to appeal is made out.

7. Accordingly, the present CRMP deserves to be and is hereby dismissed.