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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

ACQA No.25 of 2026

XYZ

...Appellant(Complainant)

versus

1 - Kamdev Burman S/o Malikram Burman, Aged About 28 Years, R/o Village Binauri, Police Station Palari, District Balodabazar-Bhatapara Chhattisgarh.
2 - State Of Chhattisgarh, Through Station House Officer, Police Station Palari, District Balodabazar-Bhatapara Chhattisgarh.

... Respondent(s)

For Appellant	:	Smt. A. Sandhya Rao, Advocate
For Respondent No.2/State	:	Shri Krishna Gopal Yadav, Dy.GA

**D.B.: Hon'ble Shri Justice Sanjay S. Agrawal &
Hon'ble Shri Justice Narendra Kumar Vyas**

Judgment on Board

Per Sanjay S. Agrawal, J.

16/06/2026

- 1) This appeal has been preferred by the victim under Section 413 of the Bharatiya Nagarik Suraksha Sanhita, 2023, questioning the legality and propriety of the judgment dated 29/08/2025, passed by the learned Additional Sessions Judge, (FTC), Balodabazar, District Balodabazar-Bhatapara (C.G.) in Sessions Trial No.44/2024, whereby, the respondent No.1-Kamdev Burman has been acquitted with regard to the offence punishable under Sections 376(2)(n), 294 and 506 Part-II of IPC.



- 2) From perusal of the record, it appears that the respondent no.1- Kamdev Burman was charge-sheeted for the offence punishable under Sections 376(2)(n), 294 and 506 Part-II of IPC, based upon a written complaint (Ex.P-1) lodged by the victim on 27/07/2024 before the Superintendent of Police, Balodabazar-Bhatapara, wherein, it was stated that her marriage was solemnized with one Rajesh Kumar Sahu and, a son, namely, Abhishek was born out of their wedlock, but, owing to some dispute with him after the birth of the child, she started living separately and, on 05/11/2023, she came in contact with the said respondent (Kamdev Burman), who allured her on the pretext of marriage and committed sexual intercourse with her. It reveals further from her alleged report that she came to know, later on, that he was a married person having children and who assured her to keep her also as his wife along with his wife and, based upon such an assurance, he used to make physical relations with her. Further of her allegation would show that when she insisted for keeping her as his wife, he got annoyed and abused her while using filthy words and has blocked her phone number on 03/07/2024, which compelled her for lodging the alleged report and, based on which, he was charge-sheeted as such.
- 3) Although, the aforesaid allegation was made by the prosecutrix, but has, however, failed to establish the same and, rather has denied that particular allegation, as revealed from para 5 of her testimony. That apart, the alleged report (Ex.P-1) was found to be lodged by her, when she was assaulted by him, owing to some money dispute,



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as revealed from para 3 of her testimony. In view of such circumstances, we do not find any substance in this appeal.

- 4) The appeal, being devoid of merit, is accordingly dismissed at the admission stage itself.

**SD/-
(Sanjay S. Agrawal)
Judge**

**SD/-
(Narendra Kumar Vyas)
Judge**