



2026:CGHC:9177



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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****ACQA No. 339 of 2023**

1 - State Of Chhattisgarh Through Police Station Mainpur, District Gariyaband Chhattisgarh.

... Appellant**versus**

1 - Radheshyam Patel S/o Shri Jayram Patel Aged About 42 Years R/o Hardibhatha, Mararpara, P.S. Mainpur, District Gariyaband Chhattisgarh.

... Respondent

For State/Appellant	:	Shri Kanwaljeet Singh Saini, Dy. Govt. Advocate.
For Respondent	:	Shri Mohammad Afroz Athar, Advocate appears through Video Conferencing.

SB: Hon'ble Shri Justice Sanjay S. Agrawal**Judgment on Board****20/02/2026**

1. This appeal has been preferred by the State/appellant under Section 14(A)(1) of Scheduled Caste and Scheduled Tribe Prevention of Atrocities Act, 1989 questioning the legality and propriety of the judgment dated 14.02.2023, passed by the Special Judge (Atrocities), Raipur in Special Criminal Case No.15/2021, whereby the respondent



has been acquitted with regard to the offence punishable under Sections 294, 506 Part -II, 323, 354 of IPC read with Sections 3(1)(w) (i), 3(1)(r) and 3(1)(s) of Scheduled Caste and Scheduled Tribe Prevention of Atrocities Act, 1989.

2. From perusal of the record, it appears that the respondent was charge-sheeted with regard to the offence mentioned herein-above on the basis of the written complaint (Ex.P.-1) lodged by the complainant on 03.08.2020, wherein it was alleged that when she was enroute to Village Chuiya along with Shanti and Bharat, she was abused by the respondent using filthy words and outraged her modesty by placing his hand on her chest and pulled her saree and blouse. With the intention of molesting her, he again put his hand on her chest and pulled the blouse owing to which one of the buttons was broken. Based upon her alleged allegation, he was charge-sheeted as such.
3. In order to establish the the alleged allegation, the complainant was examined as PW-1 and, it appears from her testimony that on the said fateful day, i.e., 03.08.2020, when she was enroute to Village Chuiya along with Shanti and Bharatlal, the respondent came and misbehaved with her while using filthy words and outraged her modesty by placing his hand on her chest and pulled her saree and blouse, owing to which one of the buttons was broken. Although, it is stated by her as such, but her statement is, however, not found to be corroborated by said Shanti Bai (PW-3) and Bharat Dhruv (PW-4) as, according to them, the respondent has done nothing with her in their presence. No reliance, therefore, could be placed upon her (PW-1) testimony in order to



attribute the involvement of the respondent for the commission of the alleged crime

4. In view of the aforesaid background and, particularly when the testimony of the prosecutrix was not found to be corroborated by other eyewitness, I, therefore, do not find any substance in this appeal, so as to call for any interference in the impugned judgment passed by the trial Court acquitting the respondent from the commission of the alleged crime.
5. The appeal being devoid of merit is, accordingly, dismissed.

Sd/-
(Sanjay S. Agrawal)
JUDGE