

**IN THE SUPREME COURT OF INDIA**

**CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPEAL NO(S). 2047/2013**

**THE STATE OF MADHYA PRADESH**

**APPELLANT(S)**

**VERSUS**

**IDRISH KHAN**

**RESPONDENT(S)**

**O R D E R**

We have heard learned counsel for the parties.

This is a case where the respondent was convicted for the offence punishable under Section 376 of the Indian Penal Code, 1860 and accordingly sentenced to seven years of rigorous imprisonment and a fine of Rs.250/-. Aggrieved by the said conviction, the respondent approached the High Court. The High Court in the impugned order, has set aside the conviction, thereby acquitting the respondent. Aggrieved by the same, the present appeal has been filed by the State.

The High Court was right in holding that there are material discrepancies in the evidence of PW-1, PW- 4 and the evidence of the prosecutrix, PW-3. The evidence of PW-3 was also found to be contrary to the medical evidence. We find no perversity in the said findings.

In such view of the matter, we find no reason to interfere with the impugned order.

The appeal is, accordingly, dismissed.

Pending application(s), if any, shall stand disposed of.

.....J.  
[M.M. SUNDRESH]

.....J.  
[RAJESH BINDAL]

NEW DELHI;  
16<sup>th</sup> JANUARY, 2025

ITEM NO.101

COURT NO.9

SECTION II-A

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Criminal Appeal No(s). 2047/2013

THE STATE OF MADHYA PRADESH

Appellant(s)

VERSUS

IDRISH KHAN

Respondent(s)

Date : 16-01-2025 This appeal was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE M.M. SUNDRESH  
HON'BLE MR. JUSTICE RAJESH BINDAL

For Appellant(s) : Mr. Pashupathi Nath Razdan, AOR

For Respondent(s) Mr. Fuzail Ahmad Ayyubi, AOR  
Mr. Ibad Mushtaq, Adv.  
Ms. Akanksha Rai, Adv.  
Ms. Gurneet Kaur, Adv.

UPON hearing the counsel the Court made the following  
O R D E R

The appeal is dismissed in terms of the signed order.

Pending application(s), if any, shall stand disposed of.

(SWETA BALODI)  
AR-CUM-PS

(POONAM VAID)  
ASSISTANT REGISTRAR

(Signed order is placed on the file)