

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Acquittal Appeal No.66 of 2014**

- Govind Ram Markam Son of Late Shri Nain Singh, aged about 32 years, resident of Village-Korrampara, Amoda, Police Station-Narharpur, Civil and Revenue District -Kanker (C.G.)

---- Appellant

Versus

1. State Of Chhattisgarh, through the Station House Officer, Police Station-Narharpur, Civil and Revenue District-Kanker (C.G.)
2. Ramlal Netam Son of Heeraram Netam, aged about 60 years,
3. Vijay Netam Son of Ramlal Netam, aged about 29 years,
4. Mohanram Kange Son of Mahruram, aged about 37 years,

Respondents No.2 to 4 are Occupation-Agriculturist, resident of Khallipara Amoda, Police Station-Narharpur, Civil and Revenue District-Kanker (C.G.)

---- Respondents

For Appellant : Mr.D.N.Prajapati, Advocate.

For Respondent No.1/State : Mr.Roshan Dubey, Panel Lawyer.

Hon'ble Shri Justice T. P. Sharma
Hon'ble Shri Justice Inder Singh Uboweja

Order On Board**11/05/2015**

1. This is acquittal appeal under proviso to Section 372 of the Cr.P.C. by the present appellant i.e. son of the deceased as victim as defined under Section 2 (wa) of the Cr.P.C. against the judgment of acquittal dated 29.1.2014 passed by the Sessions Judge, North Bastar Kanker in S.T.No.72/2013.
2. Heard learned counsel for the parties.
3. Learned counsel for the appellant submits that respondents No.2 to 4 are having enmity with the deceased, which was motive for commission of offence, therefore, aforesaid fact has not been considered by the trial Court.
4. We have perused the evidence of the witnesses. They have deposed about

the dispute between respondents No. 2 to 4 and deceased, but they have not deposed anything to prove that on account of dispute respondents No.2 to 4 have caused homicidal death of the deceased.

5. In absence of any evidence connecting respondents No.2 to 4, by acquitting respondents No.2 to 4 the trial Court has not committed any illegality warranting any interference.
6. Consequently, the acquittal appeal being devoid of merit is liable to be and is hereby dismissed.

JUDGE

JUDGE

B/-