



IN THE HON'BLE HIGH COURT OF CHHATTISGARH AT
BILASPUR

ACQUITTAL APPEAL No. 188 /2014

APPLICANT

Bhupendra Prasad, S/o Late Shri Ram Prasad Uppadhya, Caste-Bhramhin, aged about 44 years, R/o Purani Basti, Korba, Distt, Korba, (C.G.).

P.R. No.

188/14

Presented by Shri Vasm Sharma

dated 30/10/14

NON-APPLICANT

VERSUS

1. State of Chhattisgarh Through; Rakshit Kendra, Baloda, Dist, Janjgir-Champa (C.G).
2. Laxmikant, S/o Shri Manharan Trivedi, aged about, 43 years.
3. Dhaneshwar Singh S/o Late Shir Bundel Singh aged about, 40 years

Respondent no.2 and 3 were resident of Bhraman Para, Purani Basti Ward no.3 Korba Dist, Korba(C.G).

Crime No. 184/2013 P.S O.P. Pantora Baloda

APPEAL UNDER SECTION 372 OF THE CODE OF CRIMINAL PROCEDURE

Being aggrieved by the judgment of acquittal dated 20/08/2014 passed in Session Trail no. 10/2014 by the learned IIIrd Additional Session Judge Janjgir-Champa, Dist. Janjgir-Champa (C.G.). The Copy of the judgment dated 30/08/2014 is field and marked herewith as Annexure A-1. Whereby acquitting the non applicant/Accused from the charges under sections 302/34,201,394 Read With Section 397 of Indian Penal Code 1860.

The appellant is the elder brother of deceased Santosh who has been murdered by the non-applicant/accused no. 2 and 3 against who the offence under section 302/34,201,394 read with section 397 of

(25)
HIGH COURT OF CHHATTISGARH AT BILASPUR

**Coram: HON'BLE MR.T.P.SHARMA &
HON'BLE MR.I.S.UBOWEJA, JJ**

Acquittal Appeal No.188 of 2014

Appellant

Bhupendra Prasad

Versus

Respondents

1. State of Chhattisgarh
2. Laxmikant
3. Dhaneshwar Singh

(Appeal under Section 372 of the Cr.P.C.)

Mr.Arvind Dubey, counsel for the appellant.

Ms Pushpa Dwivedi, Panel Lawyer for respondent No.1/State.

ORDER
(26-2-2015)

1. This is an acquittal appeal under proviso to Section 372 of the Cr.P.C. against the judgment of acquittal dated 30.8.2014 passed by the Third Additional Sessions Judge, Janjgir, Sessions Division Janjgir-Champa in S.T.No.10/2014, whereby the trial Court has acquitted respondents No.2 and 3 of the charges of Sections 302/34, 201 and 394 read with Section 397 of the IPC.
2. After arguing for sometime, learned counsel for the appellant seeks to withdraw this appeal with liberty to file appeal on behalf of the victim as defined under Section 2 (wa) of the Cr.P.C.
3. As prayed, the appeal is dismissed as withdrawn reserving the aforesaid liberty available under the law. Certified copy of the judgment impugned be returned to counsel for the appellant after furnishing photostat copy of the same.

Sd/-
T.P. Sharma
Judge

Sd/-
Inder Singh Uboweja
Judge

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