

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No. 842 of 2015

1. State Of Chhattisgarh Through : The District Magistrate,
Rajnandgaon, District - Rajnandgaon (Chhattisgarh).

---- Petitioner

Versus

1. Pritam Satnami S/o Abhay Ram Aged About 32 Years R/o
Village Purramatola, P. S. Chhuriya, District - Rajnandgaon
(Chhattisgarh).

---- Respondent

For Petitioner/State

Ms. Madhunisha Singh, Panel Lawyer

Hon'ble Shri Navin Sinha, Chief Justice

Hon'ble Shri Prashant Kumar Mishra,J.

Order On Board

16/10/2015

1. The present application has been filed for leave to appeal questioning the acquittal of the Respondent under Sections 302 & 201 of the Indian Penal Code ordered by the Sessions Judge, Rajnandgaon in S.T. No.31/2014 dated 10-4-2015.
2. Learned counsel for the State submits that acquittal was not justified in view of the confession leading to recovery of the rope used for strangulation and the packet containing clothes of the deceased.

3. We have considered the submissions.
4. The dead body of the deceased was found in a well. There was no eyewitness. The only material against the Respondent was his own confession before the police which is not admissible in evidence leading to recovery of rope alleged to have been used for strangulation with no further evidence regarding the rope having been used for committing the crime. Furthermore, the clothes alleged to have been recovered on the confession of the Respondent has not been identified by any witness as belonging to the deceased.
5. We find no reason to interfere with the acquittal.
6. The application is dismissed.

Sd/-

(Navin Sinha)
Chief Justice

Sd/-

(Prashant Kumar Mishra)
Judge