

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No. 655 of 2016

- The State Of Chhattisgarh Through District Magistrate District Janjgir Champa Chhattisgarh.

---- Petitioner

Versus

1. Ghasiyaram Patel S/o Mohitram Patel Aged About 26 Years
2. Panchuram Patel S/o Kushvaram Patel Aged About 52 Years
3. Panchkunwar W/o Panchuram Patel Aged About 48 Years

All R/o Village Jajang, Police Station Sakti, District Janjgir Champa Chhattisgarh.

---- Respondent

For Petitioner/State Mr. Vivek Sharma, Government Advocate

Hon'ble Shri Justice Prashant Kumar Mishra
Hon'ble Shri Justice Chandra Bhushan Bajpai

Order On Board

21/7/2016

1. Heard.
2. This is an application seeking leave to appeal against the judgment of acquittal passed by the First Additional Sessions Judge, Sakti, District Janjgir-Champa, acquitting the accused persons from the charges under Sections 304-B/34 in alternative under Section 302/34 of IPC.

3. The deceased was married with respondent No.1 Ghasiyaram Patel on 06.05.2014. She died of self immolation on 31.08.2014 i.e. within 04 months of the marriage.
4. On perusal of the statements of witnesses particularly Manohar Patel (PW-4, brother of the deceased), who is a witness to the Oral Dying Declaration, we are of the opinion that present is a fit case for grant of leave to prefer acquittal appeal.
5. Accordingly, the CRMP is allowed.
6. Let regular acquittal appeal be registered and notice thereof be sent to the respondents on payment of P.F. as per rules.
7. It is made clear that if the respondents avoid acceptance of notice, this Court shall proceed to invoke Section 390 of Cr.P.C. to secure their presence.

Sd/-

Sd/-

Judge

Judge

(Prashant Kumar Mishra)

(Chandra Bhushan Bajpai)