

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

Criminal Appeal No.433 of 2002

Mohanlal Jena, son of Krishnalal Jena, aged about 39 years, occupation Driver, resident of Pathragudapara, Jagdalpur, District Bastar, Chhattisgarh

---- Appellant

versus

State of Chhattisgarh through Police Station Jagdalpur, District Bastar

--- Respondent

For Appellant	:	None
For State/Respondent	:	Shri Suryakant Mishra, Panel Lawyer

Hon'ble Shri Justice Arvind Singh Chandel

Judgment on Board

4.11.2017

1. The Appellant has been convicted under Section 376/511 of the Indian Penal Code and sentenced with rigorous imprisonment for 5 years and fine of Rs.3,000/- with default stipulation.
2. A certificate of incarceration sent by the Jail Superintendent, Central Jail, Jagdalpur would mention that the Appellant has undergone the entire jail sentence imposed upon him by the Trial Court and already released on 17.8.2005.
3. Since no one appears for the Appellant today, I decide this appeal on merits.
4. I have heard Learned Counsel appearing for the State and perused the record to assess the correctness of the impugned judgment of conviction.
5. The Appellant has allegedly attempted to commit rape with the prosecutrix (PW1), aged about 9 years. In her deposition, she has fully supported the case of the prosecution and has firmly stood by

the contents of the FIR and her case diary statement. Her statement is duly corroborated by Bharti Jena (PW2) and Vijay (PW3).

6. Considering the material available on record, I do not find any merit in this appeal.
7. Consequently, the appeal deserves to be and is hereby dismissed.

Sd/-
(Arvind Singh Chandel)
Judge