

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

Criminal Appeal No.740 of 2002

Azad Nath, S/o Tirath Nath, aged about 44 years, R/o Village Kanchvasi Bazar, Dikinapur, Thana Dibiyapur, District Auraiya (U.P.)

---- Appellant

versus

The State of Chhattisgarh through the District Magistrate, Raipur, Chhattisgarh

--- Respondent

For Appellant	:	None
For State/Respondent	:	Ms. Madhunisha Singh, Panel Lawyer

Hon'ble Shri Justice Arvind Singh Chandel

Judgment on Board

28.11.2017

1. The Appellant has been convicted under Sections 452 and 307 of the Indian Penal Code and sentenced with rigorous imprisonment for 1 year and fine of Rs.200/- and rigorous imprisonment for 3 years and fine of Rs.200/-, respectively, with default stipulation.
2. A certificate of incarceration sent by the Jail Superintendent, Central Jail, Raipur would mention that the Appellant has undergone the entire jail sentence imposed upon him by the Trial Court and has already been released on 26.1.2004.
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, with an intent to commit murder of Complainant B.L. Tidke (PW9), the then 2nd Additional Sessions

Judge, Baloda Bazar, entered his chamber and attempted to commit his murder. B.L. Tidke (PW9) has fully supported the case of the prosecution and has firmly stood by the contents of his case diary statement. His statement is duly corroborated by Malluram (PW1), Achheram (PW2), Advocate P.S. Bajpai (PW3), Digvijay Singh (PW4) and Madan (PW5).

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