

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

Criminal Appeal No. 116 of 2007

Sukhdeo Ram, S/o Chainsai alias Jhujha Majhwar, aged about 35 years,
Caste Majhwar, R/o Village Kadnai, Barpara, P.S. Batauli, Distt. Surguja,
Chhattisgarh

---- Appellant

versus

State of Chhattisgarh through Police Station Batauli, District Surguja,
Chhattisgarh

--- Respondent

For Appellant	:	None
For State/Respondent	:	Smt. M. Asha, Panel Lawyer

Hon'ble Shri Justice Arvind Singh Chandel

Judgment on Board

4.11.2017

1. The Appellant has been convicted under Section 304 Part-I of the Indian Penal Code and sentenced with rigorous imprisonment for 10 years and fine of Rs.200/- with default stipulation.
2. A certificate of incarceration sent by the Jail Superintendent, Central Jail, Ambikapur would mention that the Appellant has undergone the entire jail sentence imposed upon him by the Trial Court and already released on 26.01.2011.
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 committed the offence under Section 304 Part-I IPC. The case of the prosecution is based on the

eyewitnesses, namely, Kendi Bai (PW2) and Patango (PW5). In their deposition, they have fully supported the prosecution case and have firmly stood by the contents of their case diary statements, which is also corroborated by Jagannath (PW1), who lodged FIR (Ex.P1) and morgue intimation (Ex.P2). Bhulan (PW4) and Mangalsai (PW3) have also supported the case of the prosecution. Postmortem report (Ex.P8) and the statement of Dr. J.P. Sahu (PW10) also support the case of the prosecution.

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