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HIGH COURT OF CHHATTISGARH, BILASPUR**CRR No. 988 of 2016**

- Mayaram Sahu S/o Nanhu Sahu, Aged About 50 Years R/o Village Sirrikala, Police Station Fingeshwra, District Gariyaband Chhattisgarh

---- Applicant**Versus**

1. Heeralal Sahu S/o Nanhu Sahu, R/o Village Sirrikala, Police Station Fingeshwar, District Gariyaband Chhattisgarh
2. Sewaram Sahu, S/o Nanhu Sahu, R/o Village Sirrikala, Police Station Fingeshwar, District Gariyaband Chhattisgarh
3. Ashru S/o Sewaram Sahu, R/o Village Sirrikala, Police Station Fingeshwar, District Gariyaband Chhattisgarh
4. Bheem Sahu, S/o Heera Lal Sahu, R/o Village Sirrikala, Police Station Fingeshwar, District Gariyaband Chhattisgarh
5. Suresh Sahu, S/o Sewaram Sahu, R/o Village Sirrikala, Police Station Fingeshwar, District Gariyaband Chhattisgarh
6. State Of Chhattisgarh Through Police Station Fingeshwar, District Gariyaband Chhattisgarh

---- Non-applicants

For Applicant:	Ms. Nand Kumar Kashyap, Advocate
For State:	Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy**Order on Board****21.02.2017**

1. The present Revision Petition has been preferred assailing the order dated 21.09.2016 passed by the Additional Sessions Judge, Gariyaband in Criminal Appeal No. 20/2015. Vide the said impugned order the Court below has rejected the appeal preferred by the applicant-complainant against the judgment of acquittal dated 25.04.2015 passed by the Judicial Magistrate First Class, Rajim, District – Gariyaband in Criminal Case No.

74/2014.

2. Learned Counsel for the Applicant assailing the said order submits that the two courts below have failed to appreciate the facts which have been led by the prosecution before the Trial Court. She further submits that there have been enough evidence adduced by the prosecution to establish the offence and which has been further corroborated by the evidence adduced by the witnesses on behalf of the prosecution. Thus, the order of the two Court below are bad in law and order of the Trial Court deserves to be set aside and the Non-applicants should be convicted for the offence.
3. However, on perusal of the record it would clearly reflect from the statement of the prosecution witnesses particularly from the witness PW – 2, Lagni Bai who claims to be eye witness infact has not seen the incident and further the evidence of the Doctor also would reveal that there was no injury found on the body of the injured persons. Further there was no cogent evidence to corroborate the statement of the complainant by any independent witnesses in support of the case of the complainant.
4. In the absence of these materials the Judgment of the two Courts below in granting acquittal to the Non-applicant accused cannot be said to be bad in law in any manner nor the findings of the Court below can be said to be in any manner contrary to the evidence which have come on record.
5. Accordingly, this Court does not find any strong ground for interference with the impugned order.

6. Thus, the Revision Petition being devoid of merits, stands dismissed.

Sd/-

(P. Sam Koshy)
JUDGE

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