

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

Criminal Appeal No.486 of 2011

Raju Yadav, aged about 26 years, S/o Shri Budhu Yadav, R/o Shanker Nagar, Durga Chowk, Durg, P.S. Mohan Nagar, Durg, Original R/o Village Sonpuri, P.S. and District Kabirdham, Chhattisgarh

---- Appellant

versus

State of Chhattisgarh through Police Station Sahaspur Lohara, District Kabirdham, Chhattisgarh

--- Respondent

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

Hon'ble Shri Justice Arvind Singh Chandel

Judgment on Board

23.9.2017

1. The Appellant has been convicted under Section 307 of the Indian Penal Code and sentenced to undergo rigorous imprisonment for 4 years and to pay fine of Rs.1000/- with default stipulation.
2. A report dated 18.9.2013 has been received from the Sessions Judge, Kabirdham. In his said report, the Sessions Judge has informed that the Appellant has been released from jail after undergoing the entire jail sentence awarded to him. It is further reported that the amount of fine of Rs.1000/- has already been deposited by the Appellant in jail.
3. Since no one appears for the Appellant today, therefore, I decide the appeal on merits.
4. I have perused the record to assess the correctness of the impugned judgment of conviction.
5. The Appellant has allegedly committed attempt to murder of

Ramkumar (PW2). In his deposition, Ramkumar (PW2) has fully supported the prosecution case and has firmly stood by the contents of the FIR and his case diary statement. His statement is duly corroborated by his wife Gouribai (PW7) and independent witnesses Firoz Khan (PW1) and Rambhaj (PW8). An identification parade was conducted by Naib-Tahsildar Smt. Saraswati Banjare (PW5). During the identification parade, injured Ramkumar (PW2) identified the Appellant/accused. The prosecution case is well supported by the medical evidence also.

6. Considering the material available on record and other factors, 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