

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**CRA No. 1106 of 2007**

- Luman Singh, S/o Sammaru Gond, aged about 42 years, R/o Village Mahora, P.O. Pendra, Distt. Bilaspur (C.G.).

---- Appellant**Versus**

- State of Chhattisgarh
Through-P.S. Gourella, Distt-Bilaspur, Chhattisgarh.

---- Respondent

For Appellant : None.

For Respondent : Smt. M. Asha, Panel Lawyer for the State.

Hon'ble Shri Justice Arvind Singh Chandel
Judgment on Board

04/11/2017

1. The Appellant has been convicted under Section 307 of the Indian Penal Code and sentenced to undergo rigorous imprisonment for 7 years and to pay fine of Rs. 200/-, with default stipulation.
2. A certificate of incarceration sent by the Jail Superintendent, Central Jail, Bilaspur (Chhattisgarh) would mention that the Appellant has undergone the entire jail sentence imposed upon him by the Trial Court and already released on 17-09-2010.
3. Since no one appears for the Appellant today, therefore, I decide the 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 murder of his brother Gulab Singh (PW1). In his deposition, Gulab Singh (PW1) has fully supported the prosecution case and has firmly stood by the contents of his case diary statement. His statement is duly corroborated by Jaidev Jogi (PW2), Narayan Singh (PW7), Vedmati (PW3) and Angad Singh (PW4). Medical report (Ex.P6) and statement of Dr. H.K. Tanwar (PW6) also support the case of the prosecution. N.L. Marawi (PW9) has also corroborated the case of the prosecution and deposed that he had recorded the memorandum statement of the appellant and based on the memorandum statement of the appellant he seized one club from the possession of the appellant which was also examined by Dr. H.K. Tanwar (PW6). The doctor opined that the injuries caused to Gulab Singh (PW1) could be occurred by the said club.
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