

HIGH COURT OF CHHATTISGARH, BILASPUR

CRA No. 207 of 2002

1. Kondagurala Samakka W/o Late Kistaiya, aged about 42 years, Caste- Mahar
2. Durgam Shanker S/o Durgam Kistaiya, aged about 18 years

Both are R/o Village- Cherpalli, P.S. Bhopalpatnam, District- Dantewada (C.G.).

---- Appellant

Versus

State of Chhattisgarh Through: Police Station Bhopalpatnam, District- Dantewada (C.G.)

---- Respondent

For Appellant	:	Mr. Manoj Mishra, Advocate
For Respondent	:	Mr. Satish Gupta, Govt. Advocate

Hon'ble Shri Justice Arvind Singh Chandel

Judgment on Board

05/07/2018

1. This appeal has been preferred by the applicants against the judgment dated 31/01/2002 passed in S.T. No. 254/1999 by the IVth Additional Sessions Judge (FTC), Jagdalpur, District- Bastar, whereby, the Sessions Judge has convicted appellant No.1 under Sections 363 and 366 of IPC and sentenced him to undergo RI for 5 years with fine of Rs. 200/- and RI for 5 years with fine of Rs. 200/-, respectively with default stipulations & also convicted appellant No.2 under Section 376(1) of IPC and sentenced him to undergo RI for 7 years with fine of Rs. 300, with default stipulation.
2. A certificate of incarceration sent by the Jail Superintendent, Central

Jail, Jagdalpur would mention that both the appellants have undergone the entire jail sentence imposed upon him by the Trial Court and appellant No. 1 has been released on 06/04/2002 and appellant No. 2 has been released on 23/05/2005 from the central jail.

3. Mr. Manoj Mishra, Advocate appears on behalf of the appellants.
4. Since this appeal is of the year 2002, therefore, with the consent of both the parties, the matter is heard finally.
5. I have heard Learned Counsel appearing for the parties and perused the record to assess the correctness of the impugned judgment of conviction.
6. Case of the prosecution is based on the statement of the prosecutrix (PW4). She has duly supported the case of the prosecution. She remained firm during her cross-examination. Her statement is corroborated by her father Jhadi Abhiman (PW3) and Dr. Govind Singh (PW8).
7. Considering the material available on record, I do not find any merit in this appeal.
8. Consequently, the appeal deserves to be and is hereby dismissed.

Sd/-
Judge
Arvind Singh Chandel