

HIGH COURT OF CHHATTISGARH, BILASPUR

CRA No. 341 of 2009

Dilip Kumar Neware @ Butru, S/o Hari Yadav @ Guru Prasad R/o Village- Gar Nagar, Tekanaka Nagpur present address Village Pindai P.S. Barghat, District Seoni (C.G.)

---- Appellant

Versus

State of Chhattisgarh Through: District Magistrate, Raipur, Distt. Raipur (C.G.)

---- Respondent

For Appellant	:	Mr. N.K. Chatterjee, Advocate
For Respondent	:	Mr. Lov Sharma, Panel Lawyer

Hon'ble Shri Justice Arvind Singh Chandel

Judgment on Board

24/02/2018

1. The Appellant has been convicted under Sections 307 and 333 of the Indian Penal Code and sentenced to undergo rigorous imprisonment for 7 years and to pay fine of Rs. 500/- and rigorous imprisonment for 7 years and to pay fine of Rs. 500/- with default stipulations.
2. A certificate of incarceration sent by the Jail Superintendent, Central Jail, Raipur dated 15/02/2018 would mention that the Appellant has undergone the entire jail sentence imposed upon him by the Trial Court and already released on 02/02/2012.
3. I have heard Learned Counsel for the parties and perused the record to assess the correctness of the impugned judgment of conviction.

4. The Appellant has allegedly committed attempt of murder on B.P. Bagmare and further allegedly voluntarily caused grievous hurt to the complainant to deter from his duty. The case of the prosecution is based on the statement of ASI -B.P. Bagmare (complainant) (PW5). His statement has been duly supported by Umesh Dhruw (PW1), Pravesh Kumar (PW2), Constable- Govind Singh (PW6), Suresh Chandra Mandal (PW7) and Gayaram Yadav (PW8). From the medical report (Ex.P.7) of B.P. Bagmare and statement of Dr. G.A. Madariya (PW10), it is clear that B.P. Bagmare had sustained 4 injuries, out of which injury no. 1 & 2 were serious in nature.
5. Considering the material available on record, I do not find any merit in this appeal.
6. Consequently, the appeal deserves to be and is hereby dismissed.

Sd/-

**Judge
Arvind Singh Chandel**