

HIGH COURT OF CHHATTISGARH, BILASPUR**CRMP No. 1233 of 2018**

State of Chhattisgarh, Through- Police Station – Balodabazar,
District – Balodabazar (C.G.)

---- Petitioner**Versus**

Ramesh Satnami, S/o Rupu Satnami, Aged about 22 years, R/o-
Dashrama Road, Balodabazar (C.G.)

---- Respondent

For State/ Petitioner : Mr. Suryakant Mishra, Panel Lawyer.
For Respondent : None.

Hon'ble Shri Justice Ram Prasanna Sharma**Order On Board****23/08/2018**

1. Heard on I.A. No. 01/2018, application for condonation of delay in filing the petition.
2. For the reasons mentioned in the application and as per the law laid down by Hon'ble the Apex Court in the matter of **State of Haryana Vs. Chandra Mani & others** reported in **(1996) 3 SCC 132**, the delay of 23 days in filing the petition is condoned.
3. Also heard on application for grant of leave to appeal under Section 378(3) of the Code of Criminal Procedure, 1973.
4. The respondent was charged for commission of offence under Sections 294, 324, 506 (Part-II) of IPC for uttering obscene words in public place on 13.10.2012 at about 6.15 p.m. at village-Bhainsapara and for causing simple injury by glass and again for threatening to kill him.
5. In the present case, the complainant Virendra Satnami is not examined before the trial court. Rajjan Sahu (PW-1) is hear say witness. Bholaram (PW-3) did not depose anything regarding the

incident. Dr. Y.K. Verma (PW-2) is medical expert whose evidence to be looked into for corroborating substantive evidence. But, in the present case, there is no substantive evidence before the trial court. As legal evidence against the respondent is lacking, it is not a fit case to grant leave to appeal.

6. Accordingly, application for grant of leave to appeal is liable to be and is hereby dismissed.

Sd/-
(Ram Prasanna Sharma)
Judge