

HIGH COURT OF CHHATTISGARH, BILASPUR

Criminal Appeal No. 967 of 2013

- Mohar Say Bargah S/o Shri Dhansay Bargah, aged about 35 years, Resident of Village-Jaipur, Police Station Baikunthpur, District-Koriya (C.G.)

---- Appellant

Versus

- State Of Chhattisgarh Through Police Station Baikunthpur, District : Koriya, Chhattisgarh

---- Respondent

For Appellant	: Shri Roop Naik, Advocate.
For Respondent/State	: Shri UKS Chandel, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel

Order On Board

30/06/2018

1. The Appellant has been convicted under Section 376 of the Indian Penal Code and sentenced to undergo rigorous imprisonment for 7 years and to pay fine of Rs. 500/-, with default stipulation.
2. A certificate of incarceration sent by the Jail Superintendent, Central Jail, Ambikapur dated 25-02-2018 would mention that the Appellant has undergone the entire jail sentence and already released on 11-01-2016 from the Jail.
3. I have heard both the counsel appearing for the parties and

perused the record with due care.

4. Case of the prosecution is based on the statements of prosecutrix (PW-1), Harbhajan (PW-2), husband of the prosecutrix and Raja Geetgar Singh (PW-4). Prosecutrix (PW-1) has categorically stated that at the relevant time when she had gone to the house of Appellant, he committed forcible sexual intercourse with her. She remained firm during her cross-examination. Her statement is also supported by Harbhajan (PW-2) and Raja Geetgar Singh (PW-4).
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/-

(Arvind Singh Chandel)

Judge