

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

Acquittal Appeal No.162 of 2011

Ramau Lal Satnami, S/o Mangal Das Satnami, aged about 32 years,
by Caste Satnami, R/o Dharashiv, Police Station Lavad, Thana
Kasdoile, District Raipur, Chhattisgarh

---- Appellant

versus

1. The State of Chhattisgarh through Police Station Anusuchit Jati Kalyan, District Raipur, Chhattisgarh
2. Rukmangat Lal, aged about 42 years, S/o Janakram
3. Ramesh Yadav, aged about 46 years, S/o Laharam

Respondents No.2 and 3 are R/o Village Dharashiv, Thana Kasdoile,
District Raipur, Chhattisgarh

--- Respondents

For Appellant	:	Shri Punit Ruparel, Advocate
For Respondent No.1/State	:	Shri Amit Singh, Panel Lawyer
For Respondents No.2 and 3	:	None

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

1.7.2019

1. Heard on admission. Also perused the record of the Trial Court.
2. The instant appeal has been preferred by the Complainant against the judgment of acquittal dated 9.8.2011 passed by the Special Judge under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act (henceforth 'the Act'), Raipur in Special Sessions Trial No.67 of 2010, whereby the Special Judge has acquitted accused persons/Respondents No.2 and 3 of the charges framed under Section 294 of the Indian Penal Code and Section 3(1)(x) of the Act.
3. Before the Trial Court, Complainant/Appellant Ramau Lal has been

examined as PW1. In paragraph 3 of his statement, he has not stated anything about any abuse allegedly given to him by the accused persons/Respondents No.2 and 3. He has only deposed that a dispute had taken place about demand and giving of rice. He has deposed that when the salesman gave rice to one Ramvilas, accused/Respondent No.2, Rukmangat said to the salesman that he did not give them rice on their demand, he gave rice on being asked by Chamra (the present witness PW1). PW1 has further stated that besides this, no other incident took place there. From the statement of PW1, it is clear that no incident of abuse took place with him and the alleged word "chamra" was not directly used in respect of PW1. The statement of PW1 does not show that he felt insulted by hearing the word "chamra". He has also admitted that he does not belong to chamar caste. He has admitted that he belongs to Satnami caste. From the evidence on record, it is also clear that the alleged dispute had taken place about demand and giving of rice. Therefore, anything was told to this witness to insult him by addressing him in the name of his caste is also not established. Hence, the finding of the Trial Court is based on the evidence available on record.

4. Consequently, I find no merit in the appeal. It is, therefore, dismissed at the admission stage itself.
5. Record of the Court below be sent back along with a copy of this order forthwith for information and necessary compliance.

Sd/-

(Arvind Singh Chandel)
JUDGE