

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No. 967 of 2019

- State Of Chhattisgarh Through The Incharge, Police Station Jashpur, District Jashpur Chhattisgarh., District : Jashpur, Chhattisgarh

---- Petitioner

Versus

- Ratnu Ram S/o Late Ruila Ram Aged About 35 Years R/o Village - Sukhra Path, Post Manora, Police Station Jashpur, District Jashpur Chhattisgarh., District : Jashpur, Chhattisgarh

---- Respondents

For Petitioner : Shri Anand Verma, Dy. G.A.

DB : Hon'ble Shri Justice Manindra Mohan Shrivastava

Hon'ble Smt. Justice Rajani Dubey

Order On Board by Hon'ble Smt. Justice Rajani Dubey

18.06.2019

1. Heard on application for condonation of delay in filing appeal.
2. Upon due consideration, the application is allowed.
3. Delay is condoned.
4. Also, heard on application for grant of leave to appeal filed by the State.
5. Learned counsel for the State submits that on the serious allegation on the respondents/accused that he has murdered the deceased, the learned trial Court has acquitted him on the ground that no circumstantial evidence has been proved by the prosecution, so as to connect the respondent/accused with the alleged commission of offence, whereas, the prosecution led circumstantial evidence of recovery of weapon and blood stained clothes.
6. Learned trial Court has taken into consideration the fact that witnesses PW-4 and PW-5 have not remained firm, and because of inherent omissions and contradictions, the memorandum and seizure are completely vitiated. Except this there was no other material evidence even produced by the prosecution. Therefore, in these circumstances, the judgment of learned trial Court does not suffer from any patent illegality,

perversity so as to warrant interference by this Court, keeping in view limited scope of interference against the judgment of acquittal. We, accordingly, do not consider present to be a fit case to grant leave to appeal.

7. Accordingly, CRMP is dismissed at the admission stage itself.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Sd/-
(Rajani Dubey)
Judge