

HIGH COURT OF CHHATTISGARH, BILASPUR**CRMP No. 950 of 2019**

Rajendra Prashad S/o Prahalad Dhar, aged about 50 years, R/o Benderchuya, Police outpost Sanjari, Tahsil Dondilohara, District Balod (C.G.)

---- Petitioner

Versus

1. State of Chhattisgarh Through The District Magistrate, Balod, C.G.
2. Superintendent of Police, Balod (C.G.)

---Respondents

For Petitioner	:	Mr. Barun Kumar Chakrabarty, Advocate.
For Respondents	:	Mr. Ravi Kumar Bhagat, G.A.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

15.04.2019

1. The petitioner is brother of deceased Ram Krishna Diwan, on his report, Kirtan Gond was charge-sheeted for offence under Sections 279, 304(A) of the IPC and other provisions of the Motor Vehicles Act. However, he has been acquitted from the aforesaid charges on 07/11/2017 by learned Judicial Magistrate First Class, Dondilohara in Criminal Case No.434/2016, against which, this petition has been preferred by the petitioner stating inter-alia that proper investigation was not done and accused Kirtan Gond has been acquitted from the above-stated charges.
2. Learned counsel for the petitioner submits that the respondents be directed to conduct the investigation fairly and properly.
3. I have heard learned counsel for the petitioner and perused the documents with the petition with utmost circumspection.
4. Accused Kirtan Gond has been acquitted by the competent criminal Court. The remedy of the petitioner is to prefer an appeal under proviso to Section 372 of the CrPC.

4. With the aforesaid observation, this petition under Section 482 of Cr.P.C. finally stands disposed of. No cost(s).

Sd/-

(Sanjay K. Agrawal)
Judge