

HIGH COURT OF CHHATTISGARH, BILASPUR

Criminal Revision No. 573 of 2010

Asha Ram Aged about 35 years, S/o. Sukalu Ram Dhimar, R/o. Village Bhothli, P.S. Arjuni, District Dhamtari (C.G.)

---- **Applicant**

Versus

State of Chhattisgarh through District Magistrate Dhamtari, District Dhamtari (C.G.)

---- **Respondent**

For Applicant : Mr. R.S. Patel and Kalyan Kalamkar Advocates

For Respondent : Mr. Aman Kesharwani P L

Hon'ble Smt. Justice Vimla Singh Kapoor

Order on Board on 17.06.2019

On 18.01.2010 during patrolling by Sub inspector PW-4 applicant herein was found to be involved in illegal sale of liquor. After giving notice Ex.P-5, 25 quarters of plain liquor and 9 quarters of *masala* liquor were seized from his possession. The seizure thereof was effected under Ex.P-1 in the presence of witnesses PW-1 and PW-2.

2. Learned Magistrate found the evidence led against the accused/applicant reliable and trustworthy and held him guilty for the offence alleged against him. Lower Appellate Court also confirmed the view taken by learned Magistrate vide judgment impugned dated 26.10.2010. Hence, this revision.

3. Having heard counsel for the parties and considered the evidence of the witnesses in particular that of PW-1, PW-2 and PW-4, it becomes quite apparent that the seizure of aforementioned quantity of liquor was effected from the accused/applicant. He has also failed to produce any licence authorizing him to sell liquor

seized from him. There is no dispute about the article so seized to be other than the liquor as is clear from the evidence of PW-4. No illegality in the well recorded conviction is seen and therefore, it is hereby maintained and the revision being without any substance is hereby dismissed.

Sd/-

(Vimla Singh Kapoor)

JUDGE

Jyotishi/Santosh