

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No. 1157 of 2019

- State Of Chhattisgarh Through Police Station Pasan, District Korba, Chhattisgarh

---- Petitioner

Versus

- Phurman Singh, S/o Buddhu Singh Shyam, Aged About 42 Years, R/o Pathar Phod Kalmipara, Police Station Pasan, District Korba, Chhattisgarh

---- Respondent

For Applicant

Shri Santosh Bharat, PL

Hon'ble Justice Mr. Prashant Kumar Mishra

Hon'ble Justice Mr. Goutam Chourdiya

Order On Board by Prashant Kumar Mishra J.

10/07/2019

1. On due consideration, IA No.1/2019, application for condonation of delay in filing the CRMP, is allowed and the delay of 158 days in filing the CRMP is condoned.
2. The Trial Court has acquitted the applicant from the charge under Section 302 of IPC.
3. There was altercation and maarpeet between the accused and the deceased for which no report was lodged. The deceased was admitted to hospital after 3-4 days where he eventually died on 15.04.2017 i.e. after 20 days of incident, which occurred on 24.03.2017. In the postmortem report, the cause of death is mentioned as due to septicemia. No external injuries were found over the person of the deceased, as mentioned in the postmortem

report.

4. Considering the above evidence, no case for grant of leave to appeal is made out. Accordingly, the CRMP is dismissed.

Sd/-

Prashant Kumar Mishra
Judge

Nirala

Sd/-

Gautam Chourdiya
Judge