

HIGH COURT OF CHHATTISGARH, BILASPUR

CRA No. 759 of 2011

1. Ramkumar S/o Panchram Sidar Caste Sanvra, Aged about 24 years,
 2. Ghurauv Sanvra S/o Panchram Sidar, Aged about 33 years,
 3. Nanki Bai S/o Panchram Sanvra, Aged about 65 years,
 4. Rajkumari @ Dhengagudin W/o Ghueauv Sidar, Aged about 30 years
- All are R/o Village Singanpur, P.S. Sarangarh, District Raigarh (C.G.)

---- Appellants

Versus

State of Chhattisgarh Through Police Station Sarangarh, Distt. Raigarh (C.G.)

---- Respondent

For Appellant	:	None.
For Respondent	:	Mr. Amit Singh, PL

Hon'ble Shri Justice Arvind Singh Chandel

Judgment on Board

22/07/2019

1. By the impugned judgment dated 30/08/2011 passed in S.T. No. 13/2010 by the Additional Sessions Judge, Sarangarh, District Raigarh, the Appellants have been convicted under Section 304-B/34 of the Indian Penal Code and sentenced to undergo rigorous imprisonment for 10 years and to pay fine of Rs. 1000/- with default stipulation.
2. Facts of the case are that Deceased Dhanmati Bai was the wife of Appellant No.1. Appellant No. 2 is Jeth of the Deceased. Appellant No.

3 is mother-in-law of the Deceased and Appellant No. 4 is Jethani of the Deceased. On 08/02/2010, the Deceased died in her matrimonial house in suspicious condition. It is alleged that after the marriage, all the Appellants used to torture and harass her for demand of dowry, due to that she committed suicide by setting herself on fire in her matrimonial house. Merg was lodged vide Ex.P-8. During Merg inquiry, statement of witnesses have been recorded and that basis, FIR has been lodged. Thereafter, statement of witnesses under Section 161 of the Cr.P.C were recorded. After completion of the investigation, a charge-sheet had been filed. Trial Court framed the charges. To prove the guilt of the Appellants, the prosecution has examined as many as 13 witnesses. No defence witness has been examined. Statements of the Appellants under Section 313 of the Cr.P.C. were recorded, wherein they have pleaded their innocence and false implication in the matter.

3. After trial, the trial Court has convicted and sentenced the Appellants as mentioned in paragraph one of this judgment. Hence, this appeal.
4. A certificate of incarceration sent by the Jail Superintendent, Central Jail, Bilaspur would mention that the Appellants have undergone the entire jail sentence imposed upon him by the Trial Court and already released on 23/01/2018, 01/01/2018, 24/01/2018 and 02/02/2018, respectively.
5. Since no one appears for the Appellants today, I decide this appeal on merits.
6. I have heard Learned Counsel appearing for the State and perused the

record to assess the correctness of the impugned judgment of conviction.

7. There is no dispute on the point that within 7 years of marriage, the Deceased committed suicide in her matrimonial house by setting herself on fire.
8. Babulal (PW1), father of the Deceased has categorically stated in his Court statement that after the marriage, the Deceased was subjected to cruelty for demand of dowry by the Appellants. The Appellants demanded cash of Rs. 20,000/- and some gold also. His statement is dully corroborated by Laxmi Sidar (PW2), Anand Ram (PW3), Shusheela Bai (PW4), Chavan Prasad (PW7) and Narmada Bai (PW12). From their statements, it is clear that soon before her death, the Deceased was subjected to cruelty for demand of dowry by the Appellants. There is sufficient evidence available on record against the Appellants. Thus, the learned trial Court has rightly convicted the Appellants.
9. Consequently, the appeal has no merit and the same is liable to be and is hereby dismissed.

Sd/-
(Arvind Singh Chandel)
Judge