

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CRR No. 702 of 2012

Baldau Das S/o Narayan Das Vaishnav Aged About 50 Years R/o Village Birkona , P.S. Pipariya , Distt. Kabirdham Kawardha C.G. , Chhattisgarh.

---- Applicant

Versus

State Of C.G. S/o Through - District Magistrate , Distt. Kabirdham Kawardha C.G.

---- Respondent

For Applicant	: Mr. Chandra Bhushan Kesharwani, Advocate appointed as Amicus Curiae.
For the Respondent/ State	: Mr. Sanjay Pathak, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

12-12-2019

1. This revision petition has been brought against the impugned judgment dated 30.8.2012 passed in Criminal Appeal No. 57 of 2011 by which the conviction of the applicant under Section 392 of the IPC and sentence of 3 years RI alongwith fine of Rs.1,000/- ordered by the trial Court was upheld.
2. The prosecution case is that on 24.4.2002 this applicant accosted complainant – Kanti Bai and robbed her silver jewelery worth Rs.1,360/- at the point of a knife. After lodging of FIR, the case was investigated and the charge-sheet was filed. The applicant was then charged with offence under Section 392 of the IPC. On his plea of denial, he was tried and convicted. The appeal preferred has also been dismissed by the impugned judgment.
3. It is submitted by the learned Amicus Curiae appearing for the applicant that the prosecution has failed to prove the case against the applicant as the statement of the witnesses had been unreliable and

untrustworthy which could not have formed the basis for conviction of the applicant. Hence, he deserves to be acquitted.

4. Learned counsel for the State opposes the submissions made and the grounds raised in the revision petition. It is submitted that the prosecution has proved its case beyond reasonable doubt and there is no room for interference in the impugned judgment.
5. Heard counsel for both the parties and perused the documents.
6. After perusing of the evidence that is present in the record of the trial Court, I am of this view that the prosecution has successfully proved its case beyond reasonable doubt and the conviction against the applicant has been rightly recorded by the trial Court and upheld by the Appellate Court, hence, there is no reason for interference.
7. Accordingly, this revision petition being devoid of any substance, is dismissed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge