

NAFR

HIGH COURT OF CHHATTISGARH, BILASPURCRMP No. 1827 of 2019

- State of Chhattisgarh Through Police Station – Rajim, District – Gariyaband, Chhattisgarh.

---- Applicant

Versus

- Siyaram Sonkar S/o Shri Ramadhar Sonkar Aged About 50 Years R/o Village Damuvapara, Rajim, Police Station – Rajim, District – Gariyaband, Chhattisgarh.

---- Respondent

For Applicant-State :- Ms Madhunisha Singh, P.L.

Hon'ble Shri Prashant Kumar Mishra

Hon'ble Shri Gautam Chourdiya, JJ.

Order on Board

By

Prashant Kumar Mishra, J

07/08/2019

1. Heard.
2. On due consideration, delay of 387 days in filing the present Cr.M.P. is condoned. Accordingly, I.A. No.1 is allowed.
3. The trial Court has acquitted the accused of the charge under Section 307 of IPC.

4. In an incident, occurred at about 9:30 am on 01.02.2015, injured – Smt. Aasha Bai (PW-1) was assaulted by the accused by means of sickle causing grievous injuries over her head. However, when examined in Court the victim has not supported the case of prosecution. She would state that she sustained injuries because she fell down while she was bringing Gas Cylinder from the first floor to ground floor of her house. The accused is husband of Smt. Aasha Bai.
5. Considering the entire facts and circumstances including the evidence on record the present case is not considered to be a fit case for grant of leave to appeal, accordingly, the present Cr.M.P. is dismissed.

Sd/-
(Prashant Kumar Mishra)
Judge

Sd/-
(Gautam Chourdiya)
Judge

Ankit