

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No. 1825 of 2019

- The State of Chhattisgarh, Through - District Magistrate Mungeli Chhattisgarh.

---- Applicant

Versus

1. Radheshyam Yadav S/o Rama Yadav Aged About 27 Years R/o Badaura (Narsinghpur) Police Station - Fukdur, District - Kabirdham Chhattisgarh.
2. Pakru Baiga @ Rakumar Baiga S/o Dashru Baiga Aged About 22 Years R/o Village - Baputola, Police Station - Lormi, District - Mungeli Chhattisgarh.

---- Respondents

For Applicant-State :- Shri Neeraj Mehta, 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 535 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 charges under Sections 294, 506 & 307/34 of IPC.

4. The accused persons have allegedly assaulted injured PW-6, Ramlal, by means of club, however, PW-6, Ramlal, has turned hostile to state that the accused persons have not assaulted him and that all of them gone near the canal and have consumed country-made liquor and he fell in the canal as they were enjoying each others company in a casual way. Although, he had admitted to have given the case diary statement to the Police but later he denies that the accused persons have assaulted him intentionally or voluntarily.
5. Considering the statement of the injured, no case for grant of leave to appeal is made out.
6. Accordingly, the present Cr.M.P. deserves to be and is hereby dismissed.

Sd/-
(Prashant Kumar Mishra)
Judge

Sd/-
(Gautam Chourdiya)
Judge

Ankit