

HIGH COURT OF CHHATTISGARH, BILASPUR**CRMP No. 1867 of 2019**

- State of Chhattisgarh, through- Station House Officer, Police Station- Lakhanpur, District- Surguja (C.G.) ---- **Petitioner**

Versus

- Maanki Uraon, S/o- Ramlal Uraon, Aged about- 40 years, R/o- Village- Singitana, Khaspara, Police Station- Lakhanpur, District- Surguja (C.G.) ---- **Respondent**

For State/Petitioner : Shri Afroj Khan, Panel Lawyer.

For Respondent : None.

Hon'ble Shri Justice Ram Prasanna Sharma

Order on Board**11/11/2019**

1. Heard on I.A. No. 01/2019, which is an application for condonation of delay in filing the petition.
2. On due consideration and for the reasons mentioned in the application, delay of 224 days in filing the instant petition is condoned.
3. Also heard on application for grant of leave to appeal filed under Section 378(3) of the Code of Criminal Procedure, 1973.
4. This petition is preferred against the judgment dated 12th September, 2018 passed by Judicial Magistrate First Class, Ambikapur, District- Surguja (C.G.) in Criminal Case No. 4509/2010 wherein the said Court acquitted the respondent for charge under Sections 294, 323, 506 Part-II and 427 of IPC, 1860.
5. As per judgment of the trial Court opportunity has been provided to the appellant side for adducing evidence, but no witness has been examined before the trial Court, therefore, there is no

material to connect the respondent for crime in question. The finding recorded by the trial Court is not liable to be interfered with in absence of any evidence.

6. In view of the above, it is not a case where interference of this Court is required in the judgment of the trial Court. It is not a case where respondent should be called for full consideration of this petition.

7. Accordingly, application for grant of leave to appeal is rejected. Consequently, the petition stands dismissed at motion stage itself.

Sd/-

(Ram Prasanna Sharma)
Judge