

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No. 1923 of 2019

- Applicant

---- Respondent

For Applicant-State :- Shri Rajendra Tripathi, PL

Hon'ble Shri Prashant Kumar Mishra

Hon'ble Shri Gautam Chourdiya, JJ.

Order on Board

By

Prashant Kumar Mishra, J

26/08/2019

1. Heard.
2. On due consideration, delay of 171 days in filing the present Cr.M.P. is condoned. Accordingly, I.A. No.1 stands allowed.
3. The trial Court has acquitted the of the charges under Section 307 of IPC.

4. The accused allegedly caused grievous injuries over the neck of the injured PW-1 Aagesh @ Aageshwari by means of knife. However, neither the injured nor eye witness Ramsevak, PW-2, would support the case of prosecution. Similarly other witnesses namely PW-3, Bhagat Singh, PW-4, Neering Sai, PW-5, Radhika Bai, PW-6, Devshankar, PW-7, Malti, PW-8, Chainkuwar Bai, PW-9, Bhuwan Lal Sinha and PW-10, Ramchandra Taaram have also not supported the case of prosecution. The injured happens to be the sister-in-law (Bhabhi) of the accused.
5. Considering the nature and quality of evidence available on record the present is not the fit case for grant of leave to appeal.
6. Accordingly, Cr.M.P. is dismissed.

Sd/-

(Prashant Kumar Mishra)
Judge

Sd/-

(Gautam Chourdiya)
Judge