

HIGH COURT OF CHHATTISGARH, BILASPUR

- State of Chhattisgarh Through Station House Officer, Police Station Pasan, District Korba Chhattisgarh.

Versus

1. Budhlal Dhanuhar S/o Chaituram Dhanuhar Aged About 30 Years R/o Village Adsara, Khariyatikra, Police Station Pasan, District Korba Chhattisgarh.
2. Bhaddu Singh Dhanuhar S/o Ram Singh Dhanuhar Aged About 42 Years R/o Village Adsara, Khariyatikra, Police Station Pasan, District Korba Chhattisgarh.
3. Kunwar Singh S/o Late Lamu Singh Dhanuhar Aged About 40 Years R/o Village Adsara, Khariyatikra, Police Station Pasan, District Korba Chhattisgarh.

---- Respondents

For Appellant-State :- Shri Vikas Shrivastava, PL

Hon'ble Shri Prashant Kumar Mishra

Hon'ble Shri Gautam Chourdiya, JJ.

Order on Board

By

Prashant Kumar Mishra, J

04/09/2019

1. Heard.

2. On due consideration, delay of 285 days in filing the present Cr.M.P. is condoned. Accordingly, I.A. No.1 stands allowed.
3. The trial Court has acquitted all the accused persons of the charges under Section 302 read with Section 34 and the trial Court has further acquitted the accused-Budhlal Dhanuwar of the other charges under Section 201 of IPC.
4. Considering the statement of eye witnesses PW-1, Chaituram, PW-3, Bhagwan Singh, PW-4, Dhan Singh, we are inclined to grant leave to appeal against the acquittal of Respondent No.1, Budhlal Dhanuwar only. Prayer for grant of leave against Respondent No.2, Bhaddu Singh Dhanuwar and Respondent No.3, Kunwar Singh, is dismissed.
5. Accordingly, Cr.M.P. is allowed only against Respondent No.1-Bhudhlal Dhanuwar.
6. Let regular acquittal appeal be registered against Respondent No.1-Bhudhlal Dhanuwar and the same be placed for consideration in the week after next.

Sd/-

(Prashant Kumar Mishra)
Judge

Ankit

Sd/-

(Gautam Chourdiya)
Judge