

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No. 2325 of 2019

- The State Of Chhattisgarh Through District Magistrate, Jashpur, Chhattisgarh

---- Petitioner

Versus

- Devraj Ram, S/o Jatru Ram, Aged About 26 Years, R/o Karamtoli, Police Station Lodam, District Jashpur, Chhattisgarh

---- Respondent

For Applicant

Shri Neeraj Mehta, PL

Hon'ble Justice Shri Prashant Kumar Mishra

Hon'ble Justice Shri Gautam Chourdiya

Order on Board by Shri Prashant Kumar Mishra J.

05/11/2019

1. On due consideration, delay of 128 days in filing the CRMP is condoned. Accordingly, IA No.1/2019 is allowed.
2. The Trial Court has acquitted the accused of the charges under Sections 302 and 201 of IPC.
3. The accused was sent for trial for committing murder of deceased Santosh on 23.03.2018. The accused and the deceased belong to different villages, however, they were working together in a fishing company in the State of Karnataka. On the date of incident, both of them consumed liquor near Village Lodam and when the accused wanted to return to his village, the deceased objected to it and on this dispute, a quarrel took place in which

the accused committed murder by pressing his testicles and hitting over the head of the deceased by means of a stone. PW-6 Narendra Ram was presented as witness of last seen together, however, he has turned hostile. There is no FSL report of the stone so as to connect the recovery from being used for committing the offence, otherwise also recovery of the stone from the accused has not been proved as witnesses to the memorandum statement and recovery memo have turned hostile.

4. The finding recorded by the Trial Court does not appear to be perverse.
5. No case for grant of leave to appeal is made out.
6. The CRMP deserves to be and is hereby dismissed.

Sd/-
Prashant Kumar Mishra
Judge

Sd/-
Gautam Chourdiya
Judge