

HIGH COURT OF CHHATTISGARH, BILASPUR

- State Of Chhattisgarh Through Police Station Ranitarai, District Durg Chhattisgarh.

Versus

---- Respondent

**Hon'ble Shri Justice Prashant Kumar Mishra &
Hon'ble Shri Justice Gautam Chourdiya**

By

08/11/2019

1. On due consideration delay of 28 days in filing of the Cr.M.P. is condoned. Accordingly, I.A. No.01 of 2019 which is an application for condonation of delay occurred in filing of the Cr.M.P. is allowed.
2. The trial Court has acquitted the accused of the charge under Section 302 of the Indian Penal Code.

3. Accused was sent for trial for committing murder of his brother namely; Jitendra Kumar in the evening of 07.11.2018. Although, the incident happened in the house where other members were present but all the witnesses have turned hostile without supporting the prosecution at any stage of their examination.
4. Considering the lack of evidence against the accused, no case for grant of leave to appeal is made out.
5. Accordingly, the Cr.M.P. deserves to be and is hereby dismissed.

SD/-

(Prashant Kumar Mishra)
Judge

SD/-

(Gautam Chourdiya)
Judge

Ayushi