

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No. 42 of 2019

State Of Chhattisgarh Through The Station House Officer, Police Station
Anda, District Durg Chhattisgarh ---- **Petitioner**

Versus

1. Gyaneshwar @ Gyanu Bhatt S/o Parmanand Bhatt Aged About 35 Years R/o Village Vinayakpur, P. S. Anda, District Durg Chhattisgarh, District : Durg, Chhattisgarh
2. Gendlal @ Gend Singh Dhankar S/o Guharam Aged About 30 Years R/o Village Vinayakpur, P. S. Anda, District Durg Chhattisgarh, District : Durg, Chhattisgarh --- **Respondents**

For Appellant/State : Mr. Suryakant Mishra, G.A.

DB : Hon'ble Shri Justice Manindra Mohan Shrivastava

Hon'ble Smt. Justice Rajani Dubey

Order On Board

06/03/2019

Heard on application for condonation of delay in filing appeal.

Upon due consideration, the application is allowed.

Delay is condoned.

Heard on application for grant of leave to appeal.

1. Though learned counsel for the State submits that the victim who sustained simple injury has stated in his examination-in-chief regarding assault given to him, from the perusal of the impugned judgment, we find that learned Trial Court has acquitted the respondent accused because in the cross-examination, the victim, himself, has not supported the prosecution case and has stated that he sustained injury because of fall. Therefore, no case is made out for grant of leave to appeal
2. The present CRMP is accordingly dismissed.

Sd/-

(Manindra Mohan Shrivastava)
Judge

Sd/-

(Rajani Dubey)
Judge