

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**CRMP No. 332 of 2020**

- The State Of Chhattisgarh Through District Magistrate, Uttar Bastar Kanker Chhattisgarh

---- Petitioner

Versus

- Kaptan Singh Jatav S/o Bhoturam Jatav Aged About 48 Years R/o Village Nayagaon (Mangarh), District Muraina (Madhya Pradesh) Present At Village Markatola, Police Station Korar, District Uttar Bastar Kanker Chhattisgarh

---- Respondent

For Petitioner/StateMr. Neeraj Mehta, Panel Lawyer

DB: Hon'ble Mr. Justice Prashant Kumar Mishra &**Hon'ble Mr. Justice Gautam Chourdiya****Order On Board by Prashant Kumar Mishra, J.****19/2/2020**

1. Heard on IA No.1, an application for condonation of delay in filing the CRMP.
2. On due consideration, the application is allowed and the delay is condoned.
3. Also heard on admission.
4. The trial Court has acquitted the accused under Sections 306

and 498-A in alternative under Section 304-B of IPC vide judgment dated 20.8.2019 passed by the Additional Sessions Judge (FTC), Uttar Bastar, Kanker (CG) in Sessions Case No.4/2019.

5. Deceased Rekha Jatav was married with accused Kaptam Singh Jatav, about 3 years prior to the date of the incident. It was the second marriage for the couple as their respective spouses have died earlier. As per the prosecution case, the accused ill-treated the deceased to such an extent that she was pressurised to commit suicide. However, PW-7 Atram Sevar, father of the deceased and PW-8 Anguri Sevar, mother of the deceased would not make any allegation of commission of cruelty by the accused.
6. PW-4 Rajpal Sevar would make some statement to the effect that the accused used to consume alcohol and beat her wife in a state of intoxication but there is nothing in the record to prove that on the date of the incident, one such event took place on account of which the deceased committed suicide for the nature of abetment by the accused in commission of suicide by her.
7. No case for grant of leave to appeal is made out.
8. The CRMP is dismissed.

Sd/-

(Prashant Kumar Mishra)
Judge

Sd/-

(Gautam Chourdiya)
Judge