

HIGH COURT OF CHHATTISGARH, BILASPUR

Cr.R. No.216 of 2020

- Gopal Munda S/o Budhram Munda Aged About 35 Years R/o Gram Bhengnar, Police Station Sarangarh, District Raigarh Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Sarangarh, District Raigarh Chhattisgarh

---- Non-applicant

For Applicant	: Ms. Pragya Pandey, Advocate.
For Non-applicant	: Mr. Sudhir Sahu, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

25-02-2020

Heard on admission.

1. It is submitted by the learned counsel for the applicant that the conviction and sentence against the applicant under Section 34(2) of C.G. Excise Act by the trial Court, which has been upheld by the appellate Court, is erroneous and without support of cogent and reliable evidence of prosecution, therefore, the case be admitted for hearing.
2. Learned State counsel opposes and submits that on perusal of the judgment itself, it is clear that the statement of the Investigating Officer has been clearly supported by the independent witnesses, therefore, no case is made out for acquittal of the applicant.
3. Heard learned counsel for both the parties and also perused the documents present.

4. After perusing the impugned judgment and the reasons given for holding the conviction against the applicant by the appellate Court as well as by the trial Court which has been dismissed for the appellate Courts judgment, I am of this view that this is not a fit case for admission, therefore, the revision petition is dismissed at motion stage.
5. Accordingly, the petition stands disposed off.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Monika