

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No.412 of 2020

- State Of Chhattisgarh, Through Its District Magistrate, Bilaspur, District Bilaspur, Chhattisgarh

---- Applicant

Versus

1. Ramjan Ali, S/o Late Chand Ali, Aged About 30 Years
2. Shabaan Ali, S/o Late Chand Ali, aged about 22 years
3. Peer Mohammad @ Tengna, S/o Late Chand Ali, Aged About 27 Years

All are R/o Village Chilhati, Near Dhanuhar Para School, Police Station Sarkanda, District Bilaspur, Chhattisgarh

---- Respondent

For Applicant

Shri Rajendra Tripathi, PL

Hon'ble Justice Shri Prashant Kumar Mishra

Hon'ble Justice Shri Gautam Chourdiya

Order On Board By Shri Prashant Kumar Mishra J.

26/02/2020

1. On due consideration, delay of 328 days in filing the CRMP is condoned. Accordingly, IA No.1/2020 is allowed.
2. The Trial Court has acquitted the accused of the charges under Sections 302/34 and 201 of IPC.
3. The accused persons were sent for trial for allegedly committing murder of deceased Vikas Singh during the intervening night of 4th and 5th May, 2017. The deceased was assaulted by hand, fist, kicks and club in the presence of PW-1 Roshni Khan, who is the

sister of the accused persons and was in love with the deceased, however, this witness has turned hostile and has not supported the prosecution at any stage of her examination. PW-2 Savita Singh, mother of the deceased, speaks about receiving calls from an unknown girl informing that her son is assaulted by the girl's brother, however, she would not state the name of the girl who made the call nor informed the Police or the Court the mobile number from which she received the call.

4. Considering the lack of evidence, the Trial Court's finding does not appear to be perverse.
5. No case for grant of leave to appeal is made out.
6. Accordingly, the CRMP is dismissed.

Sd/-
Prashant Kumar Mishra
Judge

Sd/-
Gautam Chourdiya
Judge

Nirala