

HIGH COURT OF CHHATTISGARH, BILASPUR**CRR No. 376 of 2020**

Arvind Kumar Singh, S/o - Janmejaya Singh, Aged About 44 Years, R/o - L.I.G.-
115, Maharana Pratap Nagar Korba, Police Chowki - Rampur, Police Station,
Tahsil And District : Korba, Chhattisgarh

---- Appellant***Versus***

State of Chhattisgarh Through District Magistrate Korba, District : Korba,
Chhattisgarh

---- Respondent

For the Appellant : Mr. Ratnesh K. Agrawal, Advocate.

For the State : Mr. Sudhir Sahu, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order on board****09.03.2020**

Heard.

1. This criminal revision has been preferred against the criminal judgment dated 30.01.2020 passed in Criminal Appeal No. 63 of 2019 by which the learned Appellate Court has partly allowed the appeal and acquitted the appellant from the charges under Section 498 A of IPC, however, the appellant has been convicted for the offence u/s 323 of IPC and sentenced to fine of Rs. 1,000/- with default stipulation.
2. The counsel for the appellant submits that the appellant is an employee of Municipal Corporation, Korba, therefore, conviction against him, if it stands, it is going to affect his career. Hence, this revision be admitted for hearing and the applicant be granted relief.

3. The State counsel opposing the petition submits that a perusal of the impugned judgment itself shows that evidence of prosecution is in support of the conviction that has been recorded by the learned appellate court, therefore, revision petition be dismissed.
4. Without going into the merits of the case, this Court is of the view that the conviction against the appellant is not for an offence against moral turpitude. The memo dated **F4-271/C of 2007** issued by the State Government on 20.12.2007 itself mentions the offences which shall be regarded as offences against moral turpitude, on the basis of which disciplinary proceedings shall be initiated against the employee, who have committed the crime. The schedule of the offence does not mention the offence under Section 323 of I.P.C, therefore, the conviction of the appellant under Section 323 of I.P.C shall not come in the way of his future prospects in his employment.
5. With this observation and on the request made by the counsel for the applicant, the revision petition is disposed off.

**Sd/-
(R.C.S. Samant)
Judge**