

HIGH COURT OF CHHATTISGARH, BILASPUR**CRMP No. 1038 of 2020**

- State Of Chhattisgarh Through Its Police Station Piparchhedi, District Gariyaband, Chhattisgarh.

---- **Petitioner****Versus**

- Chintaram Yadav S/o Bisahuram Aged About 40 Years R/o Village-Khasarpani, Police Station- Piparchhedi, District- Gariyaband, Chhattisgarh

---- **Respondent**

For petitioner/State : Mr. Lalit Jangde, Dy.G.A

DB: Honorable Shri Justice Manindra Mohan Shrivastava

Honorable Smt. Justice Vimla Singh Kapoor.

Order on Board**17-12-2020**

1. Heard.
2. There is a prayer for condonatin of delay in filing the appeal by the State.
The appeal is barred by 753 days.
3. Delay is condoned.
4. After going through the impugned judgment and the evidence on record, we do not find any ground for grant of leave to appeal.
5. Though the learned counsel for the State submits that number of articles were found on the spot and seized also and there is evidence on record to show that there was enmity between the accused and the complainant and there was a dispute pending, after going through the judgment we find that the learned court below has granted benefit of doubt to the accused. Taking into consideration that even if the entire case of the prosecution is taken on its face value, it only gives rise to suspicion and

nothing more, we do not find any ground to interfere with the view taken by the trial court.

6. Accordingly, CRMP is rejected.

Sd/-

Sd/-

(Manindra Mohan Shrivastava)
Judge

(Vimla Singh Kapoor)
Judge

Raju