

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No.1110 of 2020

State Of Chhattisgarh Through Police Station Akaltara, District Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

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Versus

1. Dilesh Yadav @ Bhog Singh Aged About 34 Years, R/o Village Piparsatti, Police Station Akaltara, District Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh
2. Digambar Sahu S/o Parmanand Sahu Aged About 41 Years R/o Village Piparsatti, Police Station Akaltara, District Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh
3. Sandeep @ Golu S/o Swaroop Koshale Aged About 25 Years R/o Village Piparsatti, Police Station Akaltara, District Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh
4. Harwansh @ Khakhiram S/o Laxman Yadav Aged About 55 Years R/o Village Piparsatti, Police Station Akaltara, District Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh
5. Jaisingh Bargah S/o Vijay Kumar Aged About 34 Years R/o Village Piparsatti, Police Station Akaltara, District Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh
6. Daya Koshale S/o Brajlal Koshale Aged About 57 Years R/o Village Piparsatti, Police Station Akaltara, District Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh
7. Santosh @ Hajari Lal S/o Panchram Yadav Aged About 49 Years R/o Village Piparsatti, Police Station Akaltara, District Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh
8. Bangalabai W/o Rajendra Prasad Aged About 40 Years R/o Village Piparsatti, Police Station Akaltara, District Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh
9. Smt. Santoshi Bai W/o Ashok Satnami Aged About 34 Years R/o Village Piparsatti, Police Station Akaltara, District Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh
10. Smt. Anita @ Neeta W/o Durgaprashad Aged About 29 Years R/o Village Piparsatti, Police Station Akaltara, District Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh
11. Smt. Malti Satnami W/o Swaroop Ram Aged About 37 Years R/o Village Piparsatti, Police Station Akaltara, District Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh
12. Smt. Girja Bai W/o Rameshwar Satnami Aged About 42 Years R/o Village Piparsatti, Police Station Akaltara, District Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

13. Vijay Bargah S/o Janakram Bargah Aged About 57 Years R/o Village Piparsatti, Police Station Akaltara, District Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh
14. Dilip Bargah S/o Ramratan Bargah Aged About 44 Years R/o Village Piparsatti, Police Station Akaltara, District Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh
- Respondents

For State/Petitioner : Mrs. Fouzia Mirza, Additional A.G.

DB : Hon'ble Shri Justice Manindra Mohan Shrivastava

Hon'ble Smt. Justice Vimla Singh Kapoor

Order On Board

17/12/2020

Heard on application for grant of leave to appeal.

1. The submission of learned counsel for the State that even though one of the witnesses of the prosecution has supported the prosecution story of assault by the accused on the victim, learned Trial Court granted benefit of doubt because victim has not supported the case of the prosecution. Therefore, view taken by learned trial Court appears to be a plausible view based on complete analysis of all relevant material brought on record. On the totality of the consideration of the material, we do not find present it to be a fit case for grant of leave to appeal, keeping in view of settled legal principles with regard to limited scope of interference with judgment of acquittal.

2. Therefore, the present CRMP is dismissed.

Sd/-

(Manindra Mohan Shrivastava)
Judge

Sd/-

(Vimla Singh Kapoor)
Judge