

HIGH COURT OF CHHATTISGARH, BILASPUR

- State Of Chhattisgarh Through Station House Officer, Police Station Sanna, District Jashpur, Chhattisgarh.

Versus

- Respondent

For Applicant-State :- Shri Ashish Gupta, PL

Hon'ble Shri Justice Prashant Kumar Mishra
Hon'ble Shri Justice Gautam Chourdiya
Order On Board

By

Prashant Kumar Mishra, J.

24/01/2020

1. On due consideration delay of 206 days occurred in filing of the Cr.M.P. is condoned. Accordingly, I.A. No.01, application for condonation of delay is allowed.
2. The trial Court has acquitted the accused of the charges under Sections 302, 201 of the I.P.C.
3. Accused was tried for committing murder of deceased –

Lakhpati Bai during the intervening night of 1/2.04.2018. It was alleged that consequent upon a dispute between the accused and the deceased regarding showing his mobile phone, the accused committed her murder by strangulating her and thereof set her ablaze to conceal the evidence of crime.

4. Case of prosecution was based on circumstantial evidence , however, witnesses to the said effect examined as PW-1 Sukhdev Ram, PW-2 Sanjita Bai, PW-3 Munni Bai, PW-6 Sanju, PW-7 Sule Ram, PW-8 Belsajar and PW-9 Jagmohan Ram have not supported the prosecution at any stage of their examination.
5. There is absolute lack of evidence against the accused, therefore, he has rightly been acquitted. No case for grant of leave to appeal is made out.
6. Accordingly, the Cr.M.P. deserves to be and is hereby dismissed.

SD/-
(Prashant Kumar Mishra)
Judge

SD/-
(Gautam Chourdiya)
Judge

Ayushi