

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**CRMP No. 170 of 2020**

- State Of Chhattisgarh Through Station House Officer, Police Station City Kotwali, Baloda Bazar , District Baloda Bazar Bhatapara Chhattisgarh.

----Applicant

Versus

- Alakhram Jaiswal S/o Malikram Jaiswal Aged About 25 Years Resident Of Raseda, Police Station City Kotwali Baloda Bazar, District Baloda Bazar Bhatapara Chhattisgarh.

---- 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 42 days occurred in filing of the Cr.M.P. is condoned. Accordingly, I.A. No.01, for condonation of delay is allowed.
2. The trial Court has acquitted the accused of the charges under Section 302 of the I.P.C.

3. The accused was sent for trial for committing murder of deceased – Nandlal by throwing him in the well of the kitchen garden of PW-2 Udal.
4. Case of the prosecution was based on extra judicial confession, however, none of the witnesses would support the prosecution on this aspect of the matter. Parents of the deceased examined as PW-3 Tarani and PW-7 Rameshwar Jaiswal have also turned hostile without supporting the prosecution at any stage of their examination.
5. There being lack of evidence against the accused, he has rightly been acquitted by the trial Court. 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