

HIGH COURT OF CHHATTISGARH, BILASPUR

Criminal Appeal No. 3089 of 1999

- Devi Prasad, S/o Photukram Satnami, aged about 28 years, R/o Gudiyari Ward Front of F.C.I. Godown, Raipur, District Raipur, (C.G.).

---- Appellant

Versus

- State of Madhya Prasad (Now Chhattisgarh), P.S. Arjuni, District – Dhamtari, M.P. (Now C.G.).

---- Respondent

For Appellant	:	None
For State/Respondent	:	Shri H.S. Ahluwalia, Dy. A.G.

Hon'ble Shri Justice Arvind Singh Chandel

Judgment on Board

14/06/2021

1. This appeal has been preferred against the impugned judgment dated 08/10/1999 passed in S.T. No.248/92 by the Additional Sessions Judge, Dhamtari, District Dhamtari, (C.G.) wherein appellant has been convicted and sentenced as under :

<u>Conviction</u>	<u>Sentence</u>
U/s 458 of the I.P.C.	R.I. for 3 years
U/s 395 of the I.P.C.	R.I. for 4 years
U/s 25 of the Arms Act,	R.I. for 1 year
U/s 27 of the Arms Act,	R.I. for 2 years

All sentences to run concurrently.	

2. According to the case of prosecution, on 02/07/91 at around 2:30 AM at night, appellant and other persons (total 7) entered in the Govind Rice Mill, lashed with deadly weapons. It is alleged that they assaulted the watchman namely Ramkhilawan Pandey and looted his wrist watch and clock. Matter was reported the Ramkhilawan Pandey, on the basis of which offence was registered. After completion of investigation, charge-sheet was filed.
3. Trial Court framed the charges against the appellant. While framing the charges, appellant had admitted his guilt and on the basis of the said plea taken by the appellant, trial Court convicted and sentenced him as mentioned in paragraph 1 of this judgment.
4. A Jail report sent by the Jail Superintendent, Central Jail, Raipur, (C.G.) dated 14/10/2020 would mention that appellant has undergone the entire jail sentence imposed upon him by the trial Court and already released on 23/11/2009.
5. No one appears on behalf of appellant today. Finding the correctness of judgment of the trial Court, I decide this appeal on merits.
6. I have heard learned Counsel appearing for the State, perused the record, other annexed documents, statements and impugned judgment of the trial Court.
7. From the perusal of impugned judgment of the trial Court, it appears

that while framing the charges, accused/appellant had admitted his guilt voluntarily and on the basis of that plea taken by the appellant, trial Court has convicted and sentenced the appellant. Since, the appellant himself has admitted his guilt, judgment of the trial Court is in accordance with the law.

8. Consequently, the appeal has no merit and is, therefore, dismissed.

**Sd/-
(Arvind Singh Chandel)
Judge**