

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No. 301 of 2020

- State Of Chhattisgarh Through Police Station Narharpur, District Kanker, Chhattisgarh., District : Kanker, (CG).

---- Petitioner

Versus

1. Tiku Alias Tikeshwar S/o Paras Nawla Aged About 28 Years R/o Village Lilwapahar, Police Station Narharpur, District North Bastar, Kanker, Chhattisgarh., District : Kanker, Chhattisgarh
2. Komal Newla S/o Kartik Newla Aged About 32 Years R/o Village Lilwapahar, Police Station Narharpur, District North Bastar, Kanker, Chhattisgarh., District : Kanker, Chhattisgarh

---- Respondents.

For the State :- Mr. Lalit Jangde, Dy. GA.

Hon'ble Shri Justice Manindra Mohan Shrivastava
Hon'ble Smt. Justice Vimla Singh Kapoor.

Order on Board by Justice Manindra Mohan Shrivastava, J.
17.03.2021

Heard on application for condonation of delay as well as prayer for grant of leave to appeal.

Even if, we are inclined to condone the delay we do not find any merit in the application for the reason that the circumstantial evidence of extra judicial confession led by the prosecution could not be proved as the witnesses before whom extra judicial confession is said to have been given by the respondent/accused, turned hostile. That left the Court below only with evidence with regard to recovery of wire. That by itself, has rightly been held by Court below not sufficient to order conviction as the prosecution cannot be said to have prove its case beyond reasonable doubt. Therefore, application is rejected.

Accordingly, CRMP is **dismissed**.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Sd/-
(Vimla Singh Kapoor)
Judge