

HIGH COURT OF CHHATTISGARH, BILASPUR**CRMP No. 1503 of 2017**

- State Of Chhattisgarh S/o Through Station House Officer, Police Station Kotraroad, District Raigarh Chhattisgarh.

---- Petitioner**Versus**

1. Sunil Bharti S/o Hethram Bharti, Aged About 22 Years R/o Village Dahida, Police Station Koshir, District Raigarh Chhattisgarh. , Chhattisgarh
2. Parmanand Jangde S/o Late Ramnarayan Das Jangde Aged About 23 Years R/o Village Dahida Police Station Koshir, District : Raigarh, Chhattisgarh

--- Respondent

For Petitioner/State : Mr. K.K. Singh, G.A.

DB : Hon'ble Shri Justice Manindra Mohan Shrivastava**Hon'ble Smt. Justice Vimla Singh Kapoor****Order On Board****05/01/2021**

1. Heard on prayer for grant of leave to appeal.
2. Though learned State Counsel would argue that in the present case a memorandum statement of the acquitted accused Sunil Bharti & Parmanand Jangde was taken which also contained specific details of the manner in which the acquitted accused committed the offence with the convicted accused, after going through the impugned judgment and material on record, we find that the acquittal of Sunil Bharti & Parmanand Jangde is result of well considered decision that the only basis for involvement of these two accused was their memorandum statement which did not lead to discovery of any incriminating fact involving them in the alleged commission of offence. In sum and substance, the acquittal is based on the consideration of no evidence. We do not find any perversity or patent illegality in view taken by learned trial Court in granting acquittal to two accused- Sunil Bharti & Parmanand Jangde. Therefore, there is no good ground to grant leave to appeal.
3. The CRMP is accordingly dismissed.

Sd/-**(Manindra Mohan Shrivastava)
Judge****Sd/-****(Vimla Singh Kapoor)
Judge**