

HIGH COURT OF CHHATTISGARH, BILASPUR**CRMP No. 1209 of 2020**

- State of Chhattisgarh Through Police Station Malkharouda, District Janjgir Champa Chhattisgarh. ---- **Petitioner**

Versus

- Santosh Sidar S/o Jeetram Sidar Aged About 24 Years R/o Village Darrabhata, Police Station And Tahsil Malkharouda, District Janjgir Champa Chhattisgarh., ---- **Respondent**

 For petitioner/State : Ms. Samiksha Gupta, Panel Lawyer

DB: Hon'ble Shri Justice Manindra Mohan Shrivastava

Hon'ble Shri Justice Narendra Kumar Vyas.

Order on Board

01-04-2021

1. Heard on I.A.No. 1 of 2020, application for condonation of delay in filing of the instant appeal as also application for grant of leave to appeal .
2. Even if we are inclined to condone the delay in filing the application for grant of leave to appeal, we do not find any material in the application so as to warrant interference against the judgment of acquittal.
3. On the submission that the victim sustained many injuries and in the First Information Report promptly lodged, the accused has been clearly named as assailant, but then, we find that the victim himself has not supported the case of the prosecution, turned hostile stating that he fell down and might have sustained some injuries. Suggestions given to

him that the accused assaulted him, he specifically denied. There is no other evidence of the incident to involve the accused. In that view of the matter, the trial court, if we may say so, had no option except to acquit the accused by giving benefit of doubt. There is no merit in the petition to interfere with the judgment of acquittal.

4. Accordingly, the instant CRMP stands dismissed.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Sd/-
(Narendra Kumar Vyas)
Judge

Raju