

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**CRMP No. 1268 of 2020**

- State Of Chhattisgarh Through Police Station Baradwar, District Janjgir Champa Chhattisgarh

---- Petitioner**Versus**

- Chhotudas S/o Bhursidas Mahant Aged About 50 Years R/o Chamrabarpali, P. S. Baradwar, District Janjgir Champa Chhattisgarh

---- Respondent

For Petitioner / State : Smt. Fouzia Mirza, Addl. Adv. Gen.

D.B.:- Hon'ble Shri Justice Manindra Mohan Shrivastava**Hon'ble Smt. Justice Vimla Singh Kapoor****Order On Board****09/02/2021**

The appeal is within time excluding the period of lock down.

Heard on prayer for grant of leave to appeal.

Learned counsel for the State would submit that the learned Court below has wrongly acquitted the respondent / accused, even though the police came up with a full proof case of respondent being a quack and there being medical report supporting the case of the prosecution regarding cause of death of the deceased.

After going through the impugned judgment and the evidence of the prosecution witnesses, we find that the prosecution case is not supported by material witnesses to prove the fact that the death was on account of some treatment by the respondent / accused. All the witnesses, in one word, have stated that the deceased was not keeping well and she was taken to the hospital and there she died. Therefore, in view of there being no evidence of involvement of the accused, learned Trial Court left with no option but to acquit him from the charges.

Therefore, there is no merit in this petition. Prayer for grant of leave to appeal is rejected. The CrMP is, accordingly, dismissed.

Sd/-

(Manindra Mohan Shrivastava)
Judge

Sd/-

(Vimla Singh Kapoor)
Judge