

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CRR No. 615 of 2021

1. Pokhan Sahu S/o Shri Gurvind Sahu, Aged About 30 Years, R/o Village Bararmundi P.S. Ambagarh Chowk, District Rajnandgaon (C.G.)

---- Petitioner

Versus

1. State Of Chhattisgarh, Through The District Magistrate Rajnandgaon, District Rajnandgaon (C.G.).

---- Respondent

For Petitioner	:	Mr. Samir Singh, Advocate.
For Respondent/State	:	Mr. Afroz Khan, Panel Lawyer.

Hon'ble Shri Justice Gautam Chourdiya

Judgment On Board

21/10/2021

- 1) This criminal revision is filed under Section 397/401 of Code of Criminal Procedure, 1973 challenging the order dated 09/08/2021 passed by Second Additional Session Judge Rajnandgaon, District Rajnandgaon (C.G.) in Session Trial No. 65/2021 framing charge under Section 306/34 of Indian Penal Code against the petitioner.
- 2) Learned counsel for the petitioner submits that the impugned order is per se illegal and as such is liable to be set aside. He submits that even the name of the petitioner is not mentioned in the FIR. In the suicide note also there is no mention about the alleged act of the petitioner. As such, prima facie no case is made out against the petitioner. The Trial Court has wrongly framed the charge against the petitioner which is liable to be set aside.
- 3) Looking to the statements of Anusuiya Bai Sahu, Parwati Bai Sahu and Nirmala @ Neetu Sahu who have categorically stated

about the involvement of the petitioner in the crime in question that he alongwith other co-accused persons also physically and mentally harassed and tortured the deceased as a result of which he committed suicide, this Court finds no illegality or perversity in the impugned order framing charge under Section 306/34 of Indian Penal Code against the petitioner.

- 4) Accordingly, the revision petition being without any substance is hereby dismissed.

Chandrakant

-Sd/-
(Gautam Chourdiya)
Judge