

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No. 976 of 2021

State Of Chhattisgarh Through Police Station Janjgir District Janjgir Champa
Chhattisgarh

---- Petitioner

Versus

Ranjeet Yadav S/o Santram Yadav Aged About 21 Years R/o Ramsagarpara
Naila, Chowki Naila, Police Station Janjgir District Janjgir Champa
Chhattisgarh

---- Respondent

For Appellant/State : Shri Lalit Jangde, Advocate

**D.B. :Hon'ble Shri Justice Manindra Mohan Shrivastava &
Hon'ble Smt. Justice Vimla Singh Kapoor**

Order On Board

22/09/2021

Heard on prayer for grant of leave to appeal.

1. Learned counsel for the State/appellant would argue that in the present case, death had taken place in the matrimonial house and the deceased died of hanging. He would submit that even though the family members particularly her mother and father have stated regarding deceased being subjected to cruelty in connection with demand of dowry and that she was pregnant at the time of death, learned trial Court has acquitted the accused by giving him benefit of doubt which was not based on any legally admissible evidence.
2. We have gone through the impugned judgment of conviction and order of sentence and also the evidence led by the prosecution.
3. The evidence of doctor only probalilise that it was a case of suicide. No injury was found on the body. The prosecution itself led evidence in the

form of suicidal note of the deceased. Handwriting of the deceased was examined by the Handwriting Expert and Handwriting Expert gave a report that it was written in the handwriting of the deceased. This suicidal note was recovered from the room of the deceased where she died. Contents of the suicidal note which has been taken into consideration by learned trial Court are that the deceased was cheating her husband and she is the cause of sorrow of husband and, therefore, she may be excused. It has also been written that she cannot see family members in pain. In the suicidal note it has also been noted that she is loved very much by her husband, father-in-law and mother-in-law, but she does not deserve their love and care and she may be excused.

4. Kaleshwari Yadav (PW2), sister of the deceased in her cross-examination has also admitted that letter was written by the deceased to her in which she said that she was cheating her husband. Suggestion which has been given to the prosecution witness is that the deceased was married against her wishes though she had an affair with some one else.
5. Taking into consideration the totality of the entire evidence on record particularly the suicidal note which has been led in evidence of none other than of the prosecution and the evidence of prosecution witnesses, learned trial Court has disbelieved the omnibus statement of deceased having been subjected to cruelty in connection with demand of dowry. We do not find that the judgment of acquittal suffers from any perversity or patent illegality.
6. Therefore, there is no scope of interference with the judgment of learned trial Court given the limited scope of interference against the judgment of acquittal.
7. The petition (Cr.M.P.) is accordingly dismissed.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Sd/-
(Vimla Singh Kapoor)
Judge