

HIGH COURT OF CHHATTISGARH, BILASPUR

CRA No. 1279 of 2015

- Preetamdeep Satnami, S/o Harshdeep Satnami, Aged About 25 Years R/o Village Gurjimunda, P.S. Kesting, Civil And Revenue District Kalahandi, Odisha.

---- Appellant

Versus

- State Of Chhattisgarh Through P.S. Mulmula, Civil And Revenue District Janjgir Champa, Chhattisgarh.

---- Respondent

For Appellant	:	None
For State/Respondent	:	Shri H.S. Ahluwalia, Dy. A.G.

Hon'ble Shri Justice Arvind Singh Chandel

Judgment on Board

04/02/2021

1. Perused the P.U.D. received from Jail Superintendent, Central Jail, Bilaspur, Chhattisgarh dated 29/06/2020 wherein it has been reported that appellant Preetamdeep Satnami has completed his entire jail sentence imposed upon him by the trial Court and has been released from jail on 26.03.2020.
2. Looking to the above, defaults pointed out by the Registry are ignored. As the appellant has been released from jail after completion of jail sentence and no one appears on behalf of the appellant today, therefore, finding the correctness of judgment of the trial Court, I

decide this appeal on merits. Thus, the matter is admitted and heard finally.

3. This appeal has been preferred against the impugned judgment dated 01/05/2015 passed in S.T. No.215/14 by the 2nd Additional Sessions Judge, Janjgir, District – Janjgir-Champa, (C.G.) wherein appellant has been convicted and sentenced as under :

<u>Conviction</u>	<u>Sentence</u>
U/s 307 of the I.P.C.	R.I. for 7 years and fine of Rs.2,000/- with default stipulations.

4. According to the case of prosecution, on 27/07/2014 at around 8:30 PM, when complainant Dhaniram (PW-8) was coming to his house from market, at that time appellant was in the state of intoxication in front of house of the appellant and he was abusing there in filthy language. When complainant opposed the same, then appellant assaulted him with a knife due to which he sustained injuries over his chest, buttock/back and shoulder. When complainant fall on the ground, then appellant stabbed knife on his head. Matter was reported by Dhaniram (PW-8) in the police station, on the basis of which offence has been registered against the appellant. Statement of the witnesses were recorded under Section 161 of Cr.P.C. After completion of the investigation, a charge-sheet was filed. To prove the guilt of the accused/appellant, prosecution has examined as many as 10 witnesses. No defence witness has been examined. Statement of appellant under Section 313 of the Cr.P.C. was recorded, wherein accused/appellant has pleaded his innocence and false implication in

the matter.

5. After completion of trial, the trial Court has convicted and sentenced the appellant as mentioned in paragraph 1 of this judgment. Hence, this appeal.
6. A certificate of incarceration sent by the Jail Superintendent, Central Jail, Bilaspur, (C.G.) would mention that appellant has been released from jail on 26/03/2020 after completion of his entire jail sentence imposed upon him by the trial Court.
7. Per contra, learned Counsel appearing for the State supported the impugned judgment and submits that the sentence awarded by the trial Court is just and proper and requires no interference.
8. I have heard learned Counsel appearing for the State, perused the evidence adduced by the prosecution to assess the correctness of the impugned judgment of conviction.
9. Dhaniram (PW-8) in his Court statement has supported the entire case of the prosecution and he has categorically stated that at the time of incident, appellant assaulted him with a knife due to which he sustained injuries on his head and other parts of the body. Eye-witnesses namely Guruwari Bai (PW-9) and Ravi Bhardwaj (PW-10) have supported the above statement of Dhaniram (PW-8). These witnesses have remained firm during their cross-examination. Injured Dhaniram (PW-8) was medically examined by Dr. Sandeep Sahu (PW-6). On perusal of medical report of injured Dhaniram, it is well-established that he has sustained injuries on his head and other parts of the body and at the time of medical examination also, one knife was

found stabbed on his head.

10. Looking to the entire evidence adduced by the prosecution, it is clear that there is sufficient evidence against the appellant to hold him guilty. In my considered view, the trial Court has rightly convicted the appellant.
11. Consequently, the appeal has no merit and is, therefore, dismissed.

**Sd/-
(Arvind Singh Chandel)
Judge**