

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No. 2454 of 2019

- The State Of Chhattisgarh Through - Police Station Bhilai Nagar,
District Durg Chhattisgarh., District : Durg, Chhattisgarh

---- Petitioner

Versus

- Samoo Mukharjee W/o Tanmay Mukharjee, Aged About 45 Years
R/o M I G, 952, Hudco, Bhilai, District Durg Chhattisgarh.,
District : Durg, Chhattisgarh

---- Respondent.

For the State :- Mr. Lalit Jangde, Dy. GA.

Hon'ble Shri Justice Manindra Mohan Shrivastava
Hon'ble Smt. Justice Vimla Singh Kapoor.

Order on Board by Justice Manindra Mohan Shrivastava, J.
01.07.2021

Heard on prayer for leave to appeal.

Learned State counsel would argue that the learned trial Court has acquitted the accused giving benefit of doubt only on the ground that there are no documentary evidence to prove that the respondent/accused was appointed as the agent of the company and in that capacity she had cheated the complainant by inducing him to invest huge amount in the investment company thereby causing wrongful loss to the complainant. He would further submit that the complainant and other witnesses have given oral evidence to the effect that the respondent/accused had been acting as an agent of the company and advising that the complainant should invest in the investment company for high returns. The investment company paid certain amount for two years and thereafter it stopped.

After having gone through the impugned judgment and the documents particularly, the evidence of the relevant witnesses, we find that the learned trial Court had acquitted respondent/accused recording

a finding that there is no evidence of respondent/accused being the agent of the company and the complainant had invested after signing various documents of investment which contains various terms & conditions.

Considering the aforesaid facts and material, we do not consider the present to be a fit case for grant of leave to appeal.

CRMP is accordingly **rejected**.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Sd/-
(Vimla Singh Kapoor)
Judge

Ajay