



C.R. 151/-

IN THE HIGH COURT OF JUDICATURE AT BILASPUR, C.G.

Crim. Rev. No. 19 /2000



Applicants:

1. Kishan aged about 29 yrs.
S/o Rajkumar Agarwal.
2. Rajkumar aged about 66 yrs.
S/o Kashiram Agarwal.
3. Shanker aged about 32 yrs.
S/o Rajkumar Agarwal.
4. Smt. Vimala Devi aged about 65
yrs. w/o Rajkumar Agarwal.

All residents of Tilda, Neora, Raipur,
Chhattisgarh.

VERSUS.

Non-applicant:

State of Chhattisgarh, through Dist.
Magistrate, Raipur, Chhattisgarh..

**Criminal Revision u/ss. 397 and 401 Code of Criminal Procedure,
1973.**

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Filed on 29/11/20
by Shri B. K. Jagan
Advocate
R. to AR

आदेश पत्रक

Cr. Revision No. 19/2000

मामला क्रमांक सन् 199

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	<p><u>27-11-2000.</u></p> <p>Shri Bhishma Kinger, learned counsel for petitioners.</p> <p>Dr. N. K. Shukla, learned Dy. Advocate General, for the State.</p> <p>Heard.</p> <p>Being aggrieved by the order dated 9.10.2000, passed by the learned Special Judge (Atrocities), Raipur, in Sessions Trial No. 250/2000, the petitioners have filed this revision petition submitting that there is no evidence available in the record to find that they have committed the offence, therefore, they deserve to be discharged.</p> <p>Learned counsel for the petitioners submits that the letters on which they are placing reliance are in the hand-writing of deceased Sandhya and as family members of the deceased were demanding Rs. 2,00,000/- towards the marriage expenses and in the first post mortem report the doctor did not give any opinion about cause of death, each of the petitioners deserves to be discharged.</p> <p>Learned counsel for the State has opposed the admission.</p> <p>So far as the letter is concerned, the brother of the deceased has clearly stated that the document is forged or in any case was result of coercion and pressure.</p>	

लिखे

आदेश पत्रक (पुर्वानुबद्ध)

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
<p>Contd. 27.11.2000.</p>	<p>-2-</p> <p>Regarding payment of Rs.2,00,000/-, in the complaint made by the petitioner himself, it is stated to the police that some anonymous person was making the calls and on asking the name, he was always disconnecting the phone. It is not said in the letter/complaint that some particular person or particular family member of the complainant side was making telephonic calls. So far as cause of death is concerned, from the F.S.L. report, it would clearly appear that in the viscera Aluminium Phosphide was found.</p> <p>Present is not a case where there is no evidence to support the charge, but present is a case where facts are required to be finally appreciated at the conclusion of the trial.</p> <p>I find no reason to interfere. The petition is dismissed.</p>	<p>Sd/- Ag. Chief Justice</p>

Subbu.