

MCRC-17829-2014

(THE STATE OF MADHYA PRADESH Vs JAGANNATH PAW)

30-06-2015

Shri Y.D. Yadav, learned Panel Lawyer for the applicant/State.

Shri K.K. Verma, learned counsel for the respondents.

Heard.

By filing this M.Cr.C under section 378 (III) of Cr.P.C. the applicant/State is seeking leave to appeal against the impugned judgment of acquittal dated 3/07/2014 passed by Additional Sessions Judge, Amarpatan, District Satna in S.T. No. 291/2010 whereby acquitted the respondents for the offence u/s 148, 302 read with sections 302/149, 449 of IPC.

We have considered the submissions made by learned Panel Lawyer for the State and perused the record of the trial Court and impugned judgment.

The prosecution case is based on the circumstantial evidence. The trial Court having considered the fact that there is no direct evidence and the chain of circumstances against the respondents is not complete acquitted the respondents of the aforesaid offence. The only evidence against the present respondents is seizure of knife and axe from them on which admittedly no human blood was found. Except the aforesaid evidence, in absence of any other evidence, we are of the view that trial Court has rightly acquitted the respondents of the aforesaid offence.

No case for grant of leave to appeal is made out.

The M.Cr.C is therefore dismissed.

Record of the trial Court be sent back alongwith copy of this order.

Certified copy as per rules.

(SHANTANU KEMKAR)
JUDGE

(G.S. SOLANKI)
JUDGE