

HIGH COURT OF CHHATTISGARH, BILASPUR

CRA No. 776 of 2014

Jitendra Giri, S/o Awdhesh Giri, Aged about 22 years, R/o Village- Baorehi, Thana- Dhanrau, District- Patna (Bihar) present Address- Amraiya Para Maanikpur, Distt.- Korba (C.G.).

---- Appellant

Versus

State of Chhattisgarh Through: Station House Officer, City Kotwali- Korba District- Korba (C.G.).

---- Respondent

For Appellant	:	None
For Respondent	:	Mr. Sameer Behar, Panel Lawyer

Hon'ble Shri Justice Arvind Singh Chandel

Judgment on Board

31/03/2018

1. By the impugned judgment dated 05/03/2014 passed by the Additional Sessions Judge (FTC), Korba in ST No. 39/2013, the Appellant has been convicted under Sections 363 and 366 (a) of the Indian Penal Code and sentenced to undergo rigorous imprisonment for 3 years and to pay fine of Rs. 2000/- and rigorous imprisonment for 5 years and to pay fine of Rs. 3000/-, respectively with default stipulations.
2. A certificate of incarceration sent by the Jail Superintendent, Central Jail, Bilaspur dated 27/03/2018 would mention that the Appellant has undergone the entire jail sentence imposed upon him by the Trial Court and already released on 05/03/2014.

3. I have heard Learned Counsel for the State and perused the record to assess the correctness of the impugned judgment of conviction.
4. The Appellant has allegedly kidnapped/abducted the prosecutrix, aged about 18 years from the legal guardianship of her mother Nagina Devi. The case of the prosecution is based on the evidence and statement of Nagina Devi (PW3), complainant and her daughter (prosecutrix, PW4). All of them have duly supported the case of the prosecution. FIR was promptly lodged by Nagina Devi (PW3). The witnesses were affirmed during their cross-examination. It is clear from the evidence that the prosecutrix was recovered from the possession of the accused/appellant vide recovered memo (Ex.P-2).
5. Considering the material available on record, I do not find any merit in this appeal.
6. Consequently, the appeal deserves to be and is hereby dismissed.

Sd/-

**Judge
Arvind Singh Chandel**