

HIGH COURT OF CHHATTISGARH, BILASPUR

Criminal Appeal No 816 of 2002

- Santosh Kumar @ Chetti S/o Ramdas Sahu aged about 23 years, R/o Shitlapara Ram Nagar P.S. Gudhiyari Distt. Raipur, Chhattisgarh

---- Appellant

Versus

- State Of Chhattisgarh Through Police Station Gudhiari, District : Raipur, Chhattisgarh

---- Respondent

For Appellant : Shri Vijay Kumar Sahu, Advocate.
For Respondent/State : Shri UKS Chandel, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel

Order On Board

30/06/2018

1. The Appellant has been convicted under Section 307 of the Indian Penal Code and sentenced to undergo rigorous imprisonment for 5 years and to pay fine of Rs. 500/-, with default stipulation.
2. A report dated 21.03.2018 sent by the Jail Superintendent Central Jail, Raipur, which is annexed with the record, shows that the Appellant has undergone the entire jail sentence imposed upon him by the Trial Court and already released on 06-09-2004 from the Jail.

3. I have heard both the counsel appearing for the parties and perused the record with due care.
4. It is alleged that the Appellant committed attempt to murder of Mehtaru Ram (PW-1). He has categorically stated that at the relevant time, the Appellant had assaulted him by a knife as a result of which, he sustained three injuries. He remained firm during his cross-examination. His statement is duly corroborated by Narendra Kumar (PW-3), Bhagiya Bai (PW-4), Kodaiya Bai (PW-5) and Ishwar Lal Dhruw (PW-10). They have duly supported the case of the prosecution. Their statements are also corroborated by Dr. Sunil Kumar Gupta (PW-11) and his report (Ex. P-11).
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/-

(Arvind Singh Chandel)

Judge