

HIGH COURT OF CHHATTISGARH, BILASPUR

CRA No. 845 of 2012

Birjhu Ram S/o Late Dame Singh Netam, aged about 60 years, R/o Village-Boriya, profession contractory, police station Khadgaon, Distt. - Rajnandgaon (C.G.).

---- Appellant

Versus

State of Chhattisgarh, through – Station House Officer, P.S. Khadgaon, Distt.-Rajnandgaon (C.G.).

---- Respondent

For Appellant	:	Ms. M. Asha
For Respondent	:	Mr. N.K. Sharma, Dy. Govt. Advocate

Hon'ble Shri Justice Arvind Singh Chandel

Judgment on Board

31/03/2018

1. By the impugned judgment dated 04/08/2012 passed by the Second Additional Sessions Judge, Rajnandgaon (C.G.) in ST No. 10/2012, the Appellant has been convicted under Section 307 of IPC and sentenced to undergo rigorous imprisonment for 5 years and to pay fine of Rs. 100 with default stipulation.
2. A certificate of incarceration sent by the Deputy Jail Superintendent, Central Jail, Durg annexed with the record of this case would mention that the Appellant has already released on 15/08/2014.
3. I have heard Learned Counsel for the parties and perused the record to assess the correctness of the impugned judgment of conviction.

4. The Appellant has allegedly committed attempt to murder of his own wife Sugreev Bai. The case of the prosecution is based on the statement of Sugreev Bai (PW1), wife of the appellant. Though she has not mentioned the name of the assailant i.e. appellant, but Saralu (PW2), son of the appellant and Jeduram (PW3), brother of appellant, they all have supported the prosecution story and named the appellant as assailant. Pratap (PW5) has also supported the prosecution story. Medical evidence and the statement of Dr. Swachi (PW8) and Dr. D.R. Dhruw (PW7) also corroborates the prosecution case.
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**