



HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

CRA No. 172 of 2021

Chandrashekhar @ Deepak **Versus** State of Chhattisgarh

CRA No. 403 of 2021

DB

Hon'ble Shri Justice Sanjay K. Agrawal

Hon'ble Smt. Justice Rajani Dubey

24.03.2022	Mr. J.K. Shastri and Mr. Dhirendra Prasad Mishra, counsel for the appellants. Mr. Soumya Rai, P.L. for the State. Heard on I.A. No. 1, application for suspension of sentence and grant of bail during pendency of appeal. The appellant in CRA/172/2021 namely Chandrashekhar @ Deepak as well as one of the appellant in CRA/403/2021 namely Amar @ Budhan have been convicted for offence punishable under Section 397 of IPC and sentenced to undergo R.I. of 14 years with fine amount of Rs. 1,000/- in default of fine amount further R.I. for 15 days and the other appellant in CRA/403/2021 namely Virendra @ Laddu has convicted for offence under Section 397 of IPC and Section 25(1-B)(b) of Arms Act and sentenced to undergo R.I. for 14 years and fine of Rs. 1,000/- in default of payment of fine additional R.I. of 15 days and R.I. for 3 years and fine of Rs. 1,000/- in default of payment of fine additional R.I. for 15 days, respectively. All the three appellants have been convicted for the aforesaid offences by learned Additional Sessions Judge, Jashpur in Sessions Trial No. 27/2019 vide judgment dated 11/01/2021



against which these two appeals have been preferred by the appellants herein.

Learned counsel for the appellants would submit that learned trial Court has committed grave legal error in convicting the appellants for the aforesaid offences as there is no evidence on record to connect the appellants with the aforesaid offences and they are in jail since 01/05/2019.

However, learned State counsel would submit that pursuant to the disclosure statement made by the appellants, Rs. 660/- have been seized from Chandrashekhar @ Deepak, Rs. 1,120/- have been seized from Amar @ Budhan and one countrymade gun as well as Rs. 1,500/- have been seized from Virendra @ Laddu. As such, learned Session Judge had sufficient evidence to connect the appellants with the aforesaid offences.

Taking consideration of nature and gravity of the offences and material available on record particularly taking consideration that pursuant to the memorandum statement seizure of the aforesaid articles have been made from the appellants and further considering the evidence of identification available as Ex. P/3 by P.W. -1 namely Amrit Abhay Minj, we do not consider it a fit case for suspension of sentence and grant of bail to the appellants.

Accordingly, I.A. No. 1 is hereby rejected.

Sd/-

(Sanjay K. Agrawal)

Judge

Sd/-

(Rajani Dubey)

Judge

Harneet