



2026:CGHC:8730



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CRR No. 163 of 2016

Robinson, S/o Janson, Aged About 41 Years, R/o - Village - Baitalpur, Police Station - Hirri, Revenue District - Mungeli, Civil District – Bilaspur, Chhattigarh,

... Applicant

versus

State of Chhattisgarh Through District Magistrate Jashpur, District Revenue and Civil – Jashpur, Chhattisgarh,

... Respondent

For Applicant	: Ms. Yatika Verma, Advocate on behalf of Mr. Sumit Jhanwar, Advocate
For Respondent/State	: Mr. Narayan Prasad, Panel Lawyer

Hon'ble Shri Justice Radhakishan Agrawal

Order on Board

18/02/2026

1. The present revision is filed under Section 397/401 of Code of Criminal Procedure against the judgment dated 17.02.2016 passed by the Additional Sessions Judge, Jashpurnagar, District Jashpur (C.G.) in Criminal Appeal No.02/2015 arising out of judgment dated 15.12.2014, passed by the Judicial Magistrate First Class, Jashpur (C.G.) in Criminal Case No.30/2014 wherein the Applicant has been convicted under Sections 467, 468, 471 and 420 of the Indian Penal Code, 1860, and sentenced rigorous imprisonment for 2 years with fine of Rs.200/-



(for each offence), in default of payment of fine, additional simple imprisonment for 15-15 days for each offence. All the sentences were directed to run concurrently.

2. Case of the prosecution, in brief, is that, in the year 2008, the Office of the Chief Medical and Health Officer, Jashpur, issued an advertisement for direct recruitment to Class-IV posts. The accused/applicant, Robinson, applied for the post of Dhobi and was selected after document verification. It is alleged that after subsequent inquiry, it revealed that the accused had submitted a forged Pre-Middle Examination mark-sheet of year 1995 showing a false date of birth 13.05.1973. In reality, he had passed the examination in 1988 with date of birth 13.05.1971. As such, by using the forged document, he fraudulently secured government employment. On the basis of the above background, FIR was registered against him. Thereafter, statements of the witnesses were recorded under Section 161 Cr.P.C.
3. After completion of investigation, charge-sheet was filed before the Court of Judicial Magistrate First Class, Jashpur, against the applicant, who abjured the charge and pleaded non-guilty.
4. Learned Court of JMFC, after appreciation of oral and documentary evidence, convicted and sentenced the applicant as mentioned in paragraph 1 of this judgment. The said judgment was challenged by the applicant in Criminal appeal, however, the Appellate Court vide judgment dated 17.02.2016 dismissed the appeal. Hence, this revision.
5. Learned Counsel appearing for the applicant submits that she does not want to challenge the conviction of the applicant but is challenging the



sentence part, which, according to her, is on higher side. She further submits that the applicant has remained in jail for 2 months and 9 days i.e. from 28.02.2013 to 26.04.2013 and from 17.02.2016 to 01.03.2016, he is facing the *lis* since February, 2013 i.e. for more than 12 years. She further submits that the applicant has no criminal antecedent. This apart, the fine amount has already been deposited before the concerned trial Court, further, the applicant has already been terminated from the government service. Furthermore, the applicant is a poor villager and often remains ill. Therefore, the jail sentence awarded to the applicant may be reduced to the period already undergone by him.

6. On the contrary, learned State Counsel supports the impugned judgment.
7. I have heard learned counsel appearing on behalf of the parties and perused the record.
8. Considering the facts and circumstances of the case, statement of Subhash Dubey (PW-4), Dr. C.R. Bhagat (PW-5), M.L. Sonwani (PW-8), Dr. G.J. Lakra (PW-10), B.S. Paikra (PW-11), supported with the other evidence available on record, this Court is of the opinion that the finding recorded by the learned Trial Court as well as the Appellate Court being based on the evidence available on record is correct finding. Thus, I hereby affirm the conviction of the applicant.
9. As regards the sentence part of the applicant, considering the facts and circumstances of the case and further considering the facts that applicant has remained in jail for 2 months and 9 days, he is facing the



/is since 2013 i.e. for more than 12 years, he has no criminal antecedent, this apart he has deposited the fine amount and he has already been terminated from the government service, I am of the view that ends of justice would be met if, while upholding the conviction imposed upon applicant, the jail sentence awarded to him is reduced to the period already undergone by him. However, the sentences are directed to run concurrently.

10. Consequently, the revision is partly allowed. The conviction of applicant under the aforementioned Sections is affirmed and he is sentenced to the period already undergone by him. The fine sentence is hereby affirmed.
11. Since the applicant is reported to be on bail, therefore, his bail bond shall remain in force for a period of six months from today in view of provision contained under Section 481 of the BNSS, 2023.

Sd/-

(Radhakishan Agrawal)
JUDGE