



2026:CGHC:3136



NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CRR No. 766 of 2025

1 - XYZ Nil

--- Applicant

versus

**1 - State Of Chhattisgarh Through The Station House Officer,
Police Station Patthalgaon District Jashpur Chhattisgarh**

**2 - Purushottam Ram Yadav @ Pustam S/o Rameshwar Prasad
Aged About 50 Years R/o Village Bhatamuda, Tahsil And Police
Station, Patthalgaon, District Jashpur Chhattisgarh**

--- Respondents

CRR No. 848 of 2025

**1 - Purushottam Ram Yadav @ Pustam S/o Rameshwar Prasad
Aged About 50 Years R/o Village- Bhatamuda, Tahsil And Police
Station, Pathalgaon, District- Jashpur (C.G.)**

---Applicant

Versus

**1 - State Of Chhattisgarh Through The Station House Officer,
Police Station - Patthalgaon, District - Jashpur (C.G.)**

2 - XYZ Nil

--- Respondents

For Applicant

: Mr. J.K. Saxena, Advocate in CRR
No. 766/2025



For Applicant : Ms. Akanksha Mishra, Advocate in
CRR No. 848/2025

For State : Mr. Amit Verma, P.L.

For Respondent No. 2 : Mr. J.K. Saxena, Advocate in CRR No.
848/2025.

Hon'ble Shri Justice Sanjay Kumar Jaiswal

Order on Board

19/01/2026

1. **CRR No. 766/2025** and **CRR No. 848/2025** have been filed under Section 102 of Juvenile Justice (Care and Protection of Minor), Act 2015, R/w 438 and 442 of BNSS, 2023, being aggrieved by the impugned judgment dated 02.05.2025, passed in Criminal Appeal No. 10/0024 by the learned Additional Sessions Judge (F.T.C.), Jashpur, District – Jashpur (C.G.) whereby applicant - XYZ (Juvenile) has been convicted and sentenced as under :-

Conviction	Sentence
U/s 323 of IPC	For the period already undergone by the applicant i.e. from 18.03.2021 to 24.03.2021 (07 days). And ordered to do community service in the Community Health Center, Pathalgaon for 1 month, and plantation of 50 plants.

2. As per the prosecution story, it is alleged that on 28.01.2020 the complainant Rameshwar Ram lodged a written report at Police Station – Pathalgaon, alleging therein that the applicant - XYZ (Juvenile) has assaulted



with Purushottam with intention to kill him.

3. Vide order dated 04.10.2023, passed in Criminal Case No. 27/2021 by Principal Magistrate Juvenile Justice Board, Jashpur, District Jashpur (C.G.), the Juvenile (applicant in CRR No. 766/2025) has been acquitted for the offence punishable under Sections 341, 506 Part-II and 307 of IPC. The said judgment of acquittal has been challenged by the victim (applicant in CRR No. 848/2025) before the Additional Sessions Judge (F.T.C.), Jashpur, District – Jashpur (C.G.) in Criminal Appeal No. 10/2024, whereby the Juvenile/accused has been convicted and sentenced as mentioned in the opening paragraph of this judgment. Hence, the revision petitions.
4. Learned counsel appearing for the applicant/juvenile in **CRR No. 766/2025** submits that the jail sentence of the applicant/juvenile has been undergone by the sessions judge and the remaining sentence of service to community health center and plantation of 50 plants has also been complied by the applicant/juvenile which is evident from the documents filed by him with covering memo dated 10.07.2025, therefore, the revision petition may be disposed of as the order of sentence has already been complied by the juvenile/applicant.
5. Learned counsel appearing for the applicant/victim in **CRR**



848/2025 submits that the impugned judgment dated 02.05.2025 is bad in law, perverse, erroneous and contrary to the evidence, facts and circumstances of the case; therefore, the impugned order is liable to be set aside. She further submits that the learned appellate Court has failed to appreciate that the applicant has specifically deposed that the non-applicant No. 2 has assaulted him with the help of axe with the intention to kill him. The learned trial Court and the appellate Court erred in acquitting the non-applicant No. 2 of the offence under Section 307 of IPC. Hence, the acquittal of the non-applicant No.2 may be set aside, and the applicant may be convicted and sentenced as per law.

6. I have heard learned Counsel appearing for the parties and perused the documents annexed with the revision petitions including the impugned order.
7. In the case in hand, looking to the evidence it is clear that the prosecution has failed to prove the seizure of the axe allegedly used in the incident. The two witnesses to the seizure of the axe, Rameshwar Prasad and Kamleshwar, did not make any statement regarding the matter. Hence, it has not proved that the juvenile in conflict with the law inflicted injuries on the victim by assaulting him with the axe. Furthermore, the doctor who examined the victim's



injuries stated that the injuries were of a simple nature.

On the basis of the evidence produced, it has not proved that the juvenile in conflict with the law had caused injuries to the victim by means of axe with the intention to cause his death. However, it has been proved that the juvenile had inflicted simple injuries upon the victim, for which the juvenile has been convicted for the offence punishable under Section 323 of the IPC and sentenced as mentioned in the opening paragraph of the judgment.

8. Having carefully examined the impugned order, I find no perversity, illegality, or inconsistency in the findings recorded by the learned appellate Court, hence, I am not inclined to interfere with the order impugned.
9. Looking to the records it is apparent that the juvenile has completed the sentence imposed upon him.
10. Accordingly, the **CRR No. 766/2025** is hereby **disposed** of and the **CRR No. 848/2025** is hereby **dismissed**.
11. The record of the Trial Court be sent forthwith for compliance and necessary action, if any.

Sd/-

(Sanjay Kumar Jaiswal)
Judge