



2026:CGHC:14551-DE



2026:CGHC:14551-DB

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

ACQA No.16 of 2011

Ghanshyam Sharma, Son of late Bhagwandas Sharma, aged about 58 years, Kharsia, District Raigarh (C.G.)

--- Appellant/Complainant

versus

- 1 - Govind Sharma, son of Rameshwar Sharma, aged 48 years,
2. Aashish son of Govind Sharma, aged 23 years,
3. Rakesh Sharma, son of Govind Sharma, aged 27 years,
4. Smt. Varsha, wife of Rakesh Sharma, aged 23 years,
5. Santosh Sharma, wife of Shri Govind Sharma, aged 46 years,
All R/o Dhanuharpara, Purani Basti, P. S. Kotwali, District Korba (C.G.)
6. State of Chhattisgarh, Through the Police Kotwali Korba, Distt.-Korba, C.G.

--- Respondent(s)

ACQA No.73 of 2012

State Of Chhattisgarh, Through the District Magistrate, District Korba (C.G.)

---Appellant

Versus

- 1 - Govind Sharma, son of Rameshwar Sharma, aged 48 years,
2. Ashish Sharma, son of Govind Sharma, aged 23 years,
3. Rakesh Sharma, son of Govind Sharma, aged 27 years,
4. Smt. Varsha, wife of Rakesh Sharma, aged 23 years,
5. Santosh Sharma, wife of Shri Govind Sharma, aged about 46 years,
No.1 to 5 accused, R/o Dhanuharpara, Purani Basti, P. S. Kotwali, Korba, Tehsil and District Korba (C.G.)

--- Respondent(s)

**In Acquittal Appeal No.16 of 2011**

For Appellant	:	None
For Respondents No.1 to 5	:	Shri Kishan Kumar Yadav, Advocate
For Respondent No.6/State	:	Shri Dharmesh Shrivastava, Dy.AG

In Acquittal Appeal No.73 of 2012

For Appellant/State	:	Shri Dharmesh Shrivastava, Dy.AG
For Respondents No.1 to 5	:	Shri Kishan Kumar Yadav, Advocate

**DB: Hon'ble Shri Justice Sanjay S. Agrawal &
Hon'ble Shri Justice Amitendra Kishore Prasad**

Judgment On Board

Per Sanjay S. Agrawal, J

27/03/2026

- 1) Since both these appeals arise out of the common judgment dated 15/12/2010 passed by the learned 2nd Additional Sessions Judge, (FTC), Korba, District Korba (C.G.) in Sessions Trial No.49/2010, acquitting the respondents for the offence punishable under Sections 304-B/34 and 498-A of IPC, they are being disposed off by this common judgment.
- 2) From perusal of the record, it appears that the marriage of the deceased, namely, Annapurna was solemnized with the respondent No.2-Ashish Sharma on 17/11/2009 in accordance with the Hindu Rites and Rituals. It is alleged by the prosecution that after sometimes of her marriage, she was harassed and maltreated by the respondents on account of inadequacy of dowry, owing to which, she died on 29/03/2010 around 11.30 AM. On account of the alleged incident, her brother-in-law, namely, Rakesh Sharma, the respondent No.3, lodged the merger intimation (Ex.P-5) before the Police Station Kotwali, Korba, District Korba, stating therein that she



has committed suicide by hanging herself and, an FIR (Ex.P-6) was, thereafter, lodged by her father, namely, Ghanshyam Sharma on 30/03/2010 before the concerned Police Station, alleging inter alia, that there is no proof that she has committed suicide by hanging herself and, in fact, she was murdered by them. Based upon the alleged report, an FIR (Ex.P-6) was registered against the respondents for the commission of offence punishable under Section 304-B/34 of IPC in connection with Crime No.407/2010. The deadbody of the deceased was sent for autopsy, which was conducted by Dr. Deepak Singh (PW-1) and Dr. B. Tigga (PW-2), but, they were unable to give any definite opinion regarding cause of death and viscera was, therefore, sent for chemical examination, however, no report was placed on record in this regard. During the course of investigation, a suicidal note (Ex.P-2) was seized vide Ex.P-3 on 29/03/2010 in presence of two witnesses, namely, Rajkumar Vidhwani and Navin Barandani (PW-3). After completion of usual investigation, the charge-sheet was submitted before the concerned trial Court, where, after considering the materials available on record, the respondents have been charge-sheeted with regard to the offence punishable under Sections 304-B/34 and 498-A/34 of IPC, which was denied by them and claimed to be tried.

- 3) In order to establish the alleged allegations, the father of the deceased, namely, Ghanshyam Sharma was examined as PW-10 and, it appears from his testimony that the marriage of his daughter (the deceased) was solemnized with the respondent No.2-Aashish Sharma on 17/11/2009 and when she came to home, it was



informed that because of non-fulfilling of demand of Golden Ring, Golden Chain and Almirah, she was harassed and maltreated by the respondents. Further of his testimony would, however, show that instead she disclosed her mother that she was harassed and maltreated by the respondents, because she came from the inferior house and, when he enquired from his daughter, it was informed by her that she was harassed, because she has not come with the Golden Ring, Golden Chain and Almirah. But, the alleged of his version was, however, not found to be revealed from his report (Ex.P-6) and, instead the alleged fact was, in fact, disclosed by her to his wife. His statement is, thus, deviated from his alleged report (Ex.P-6) lodged on 30/03/2010.

- 4) Insofar as the statement of mother (PW-11) of the deceased, namely, Smt. Shakuntala Sharma, is concerned, it, however, appears from her testimony that she was harassed and maltreated, because of non-fulfilling the demand of Golden Ring, Golden Chain and the Motorcycle, however, the demand of "Motorcycle" was neither reflected from the report (Ex.P-6) lodged by her husband, nor was deposed by him in his evidence.
- 5) That apart, as revealed from the testimony of the deceased's father, (PW-10) that even upon knowing the alleged fact that she was harassed and maltreated by them as such, neither any report was lodged immediately thereafter, nor any meeting was convened in the village. In view of such circumstances, it is difficult to hold that on account of the alleged demand, she was harassed and maltreated by the respondents.



- 6) It is to be seen further that during the course of investigation, a suicidal note (Ex.P-2) was recovered from her in-law's house in presence of two witnesses, namely, Rajkumar and Navin Barandani (PW-3) and the said fact was duly established by him (PW-3) and, a bare perusal of the alleged suicidal note (Ex.P-2), which was duly certified by the opinion of the Additional State Examiner, Govt. of Chhattisgarh, would show that she has not alleged anyone regarding her death.
- 7) In view of the aforesaid background and, in absence of any cogent and reliable evidence led by the prosecution, showing that the deceased was harassed and maltreated by the respondents on account of the alleged demand, the trial Court has, therefore, not committed any illegality in acquitting them from the commission of the alleged crime, so as to call for any interference in these appeals.
- 8) Consequently, these appeals (Acquittal Appeal No.16/2011 and Acquittal Appeal No.73/2012), being devoid of merit, are dismissed.

SD/-
(Sanjay S. Agrawal)
Judge

SD/-
(Amitendra Kishore Prasad)
Judge