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IN THE HIGH COURT OF JUDICATURE AT BILASPUR

CRIMINAL REVISION NO. 865 /2013

Single Bench

Applicant:

Gulam Qudaratullah Khan s/o
of Gulam Rehmatullah, aged
about 64 years, R/o Rajatalab,
near Shalimar Press, P.S. Civil
Line, Raipur (Chhattisgarh)

R. No. 865/13
Presented by Shri. M. Sakul
20/12/13

Versus

Respondent:

State of Chhattisgarh through
the ^{Distt. Magistrate} collector North Bastar
Kanker (C.G.)

Crime No. 141/12

**Revision Under Section 397 Read with Section 401 of the
Code of Criminal Procedure 1973,**

Being aggrieved by the order dated 12.12.2013 passed by the
Court of Shri M. Katulkar, learned Special/Session Judge, North
Bastar Kanker is enclosed herewith as ANNEXURE P-1 in Special
Session Trial No.13/12 between State of C.G. Vs. Gulam Qudaratullah
Khan and Others thereby rejecting the application under section 319
of the Code of Criminal Procedure is enclosed herewith as
ANNEXURE P-2 filed by the present applicant, hence applicant
prefer this revision on the following facts and grounds:-



HIGH COURT OF CHHATTISGARH AT BILASPUR

SB:- Hon'ble Shri Justice T.P. Sharma

Criminal Revision No.865 of 2013

Applicant Gulam Qudaratullah Khan
versus
Respondent State of Chhattisgarh

Revision under Section 397 read with Section 401 of the Code
of Criminal Procedure.

Appearance: Shri Raza Ali, counsel for the applicant.
Shri Ashish Gupta, Panel Lawyer for the
State/respondent.

ORDER
(Passed on 01.01.2014)

By this revision, the applicant has challenged the order dated 12.12.2013 passed by Special Judge, Scheduled Caste and Schedule Tribe (Prevention of Atrocities), Act in Special Sessions Trial No.13/12, whereby application filed on behalf of applicant/accused for impleading Bank Manager Sandeep Nayak of State Bank of India as accused under Section 319 of the Cr.P.C. has been dismissed.

2. Heard learned counsel for the applicant and perused the orders impugned, application filed under Section 319 Cr.P.C. of co-accused i.e. the applicant, copies of deposition of Gangaram Thakur (PW-1) and Mangiaran Markam (PW-5), which shows that Sandeep Nayak, Branch Manager, State Bank of India has given rin pustika to one Raj Sharma and also intimated the same to the complainant. The complainant also ensured the aforesaid facts thereafter alleged offence has been committed.



3. Considering the aforesaid facts, the Court below has dismissed the application for impleading Sandeep Nayak as accused and he is not the accused before the Court under Section 319 Cr.P.C. By dismissing the application, the Court below has not committed any illegality. Consequently, the revision is liable to be and is hereby dismissed.

Bini

Sd/-
T.P. Sharma
Judge