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HIGH COURT OF CHHATTISGARH, BILASPUR**WPCR No. 38 of 2014**

- Smt. Krishna Vijayvergiya, Wd/o Late Shri Mohanlal Vijayvergiya, Aged About 66 Years R/o 1505/22, Nanda Nagar Road No.22, P.O. Nanda Nagar, P.S. Pardeshipura, Tahsil & District (Civil And Revenue) Indore (Madhya Pradesh)

---- **Petitioner****Versus**

1. State Of Chhattisgarh Through Secretary, Home Department Mantralaya Mahanadi Bhawan, Raipur, P.S. Civil Line, Tehsil, Civil & Revenue District Raipur (Chhattisgarh) 492001
2. Superintendent Of Police, Mahasamund, S.H.O. Of The Police Station Civil Lines, Post Office G.P.O, Mahasamund, Civil & Revenue Distt. Mahasamund, (C.G.)
3. Director Prosecution Of State Of C.G. Raipur, Mantralaya, Mahanadi Bhawan, Raipur, P.S. Civil Line, Tehsil, Civil & Revenue District Raipur (C.G.) 492001
4. Managing Director, M.P. Food Corporation Bhopal Block / A, Gautam Nagar, Police Station & Post Office Goutum Nagar, Tahsil And District (Revenue And Civil) Bhopal (M.P.)
5. Managing Director , C.G. Civil Supply Corporation, Raipur, Mahanadi Bhawan, P.S. Civil Line, Tehsil, Distirct (Civil & Revenue) Raipur (C.G) 492001

---- **Respondents**

For Petitioner	:	Shri Vijay K. Deshmukh, Advocate
For Respondents-State	:	Shri Shashank Thakur, GA for the State

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****02/12/2015**

1. This writ petition has been preferred for a direction to the respondents to withdraw the prosecution in criminal case No.290/1980 in the Court of JMFC, Mahasamund (old case No.18/1978) for offence under Section 409

IPC with further prayer to direct respondents No.4 & 5 to make payment of balance lying in the service account of petitioner's late husband.

2. In view of the death of the accused during pendency of the criminal case, the criminal trial cannot proceed as the same has abated, therefore, the writ petition is disposed of with a direction that on petitioner's application/representation before respondents No.4 & 5 for releasing the dues of her late husband, the said respondent shall consider and decide petitioner's representation at the earliest, preferably within a period of three months from the date of submission of representation.

Sd/-

Judge

Prashant Kumar Mishra

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