

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 872 of 2015

Abdul Kareem, S/O. M.A. Faheem, aged about 30 years, R/o Salhewarpara, Dhamtari P.S., Tehsil, Civil & Revenue District -Dhamtari (CG)

---- Applicant

Versus

State Of Chhattisgarh Through : Station House Officer, Police Station City Kotwali, Dhamtari (Chhattisgarh).

---- Respondent

For Applicant	:	Shri Adil Minhaj, Advocate
For Respondent/State	:	Shri Manish Nigam, Panel Lawyer

Order On Board

07/09/2015

Heard.

1. This application has been filed by the applicant apprehending his arrest in connection with Crime No.194/2015, registered in Police Station-City Kotwali, Dhamtari, for alleged commission of offence under Sections 147, 148 & 333 of the IPC .
2. Case of the prosecution, in brief, is that a dispute arose because of solemnization of marriage between a boy and a girl belonging to different community. It is alleged that when police tried to manage the affairs and control the mob, the applicant and another accused manhandled the police officials, assaulted them and use criminal force.
3. Learned counsel for the applicant submits that as far as present applicant is concerned, he has neither been named in the FIR nor in the diary statements, which were immediately recorded after the incident. His involvement is without any basis.
4. On the other hand, learned counsel for the State submits that there is no offence registered against the applicant nor he has been named as an accused. The apprehension of the applicant that he would be apprehended is baseless.
5. From the entire case diary, it is nowhere indicated that the applicant's name has been included as one of the accused under the case. It appears that on mere apprehension, the applicant has filed this application.
6. Learned State counsel submits that the applicant's apprehension that he would be arrested is without any basis as so far, no offence has been registered against him.

7. Placing the above statement made by learned counsel for the respondent-State on record, this application is disposed off, however, with liberty to apply for bail in case there is subsequent development leading to apprehension of arrest.

Sd/-
(Manindra Mohan Shrivastava)

Judge

Praveen