

HIGH COURT OF CHHATTISGARH, BILASPUR

CRR No. 860 of 2015

- Gyaneshwer Gosai S/O Lt. Jageshwer Gosai Aged About 55 Years Posted As In Charge Assistant Food Officer Kondagaon District Bastar, R/O Bharkapara Ward No.-26 Rajnandgaon, Civil & Revenue District Rajnandgaon Chhattisgarh

---- Petitioner

Versus

- State Of Chhattisgarh Through : P.S. - Anticorruption Bureau Jagdalpur, Distt. Bastar Chhattisgarh

---- Respondent

26/10/2015	Shri Rakesh Thakur, counsel for the petitioner. Shri V. Goverdhan, PL for the State. Challenge in the present revision is to the order dated 7.8.2015 passed by Special Judge (Prevention of Corruption Act), Kondagaon whereby the Court below has framed charge against the petitioner under Sections 7 and 13(1)(d) read with 13(2) of the Prevention of Corruption Act. Counsel for the petitioner submits that the bribe amount has not been recovered from the petitioner and therefore, the charge as framed by the Court below against the petitioner is erroneous. He further submits that other accused person has already been discharged and on this ground also, the charge as framed against the petitioner is bad in law. Lastly, he submits that the work for which the bribe amount is alleged to have been given to the petitioner has already been completed and therefore, the question of raising such demand does not arise. On the other hand, State counsel opposing the revision submits that whatever argument has been advanced by the petitioner is his defence and therefore, the same cannot be considered at the stage of framing of charge. Heard counsel for the parties and perused the material on record. Considering the allegations leveled against the petitioner, the fact that the bribe amount was received by him, which has also been corroborated by the statement of the complainant, and further considering the fact that all the points raised by the petitioner in this revision are his	

	defence, I am not inclined to interfere with the order impugned. The revision petition being without any substance is liable to be dismissed at the motion stage itself and is, accordingly, dismissed. Sd/ (Pritinker Diwaker) Judge	
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