

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Cr.M.P. No. 82 of 2015**

Pawan Shadija S/o Late Shri Devendra Das Shadija Aged About 50
Years R/o 18 Samta Colony, Ground Floor, Raipur C.G.

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

State Of Chhattisgarh Through Distt. Magistrate, Raipur C.G.

---- **Respondent**

For the Petitioner	:	Shri Maneesh Sharma, Advocate.
For Respondent/State	:	Shri Lav Sharma, Panel Lawyer.

Hon'ble Shri Justice Chandra Bhushan Bajpai**Order on Board****01/04/2016**

1. At the outset, Learned counsel for the Petitioner submits that he may be permitted to withdraw the instant Cr.M.P. with liberty to file an appropriate complaint case under Chapter XV of the Code of Criminal Procedure, 1973 (for short 'the Code') before the Court of competent jurisdiction against the non-applicant arrayed as accused in the unregistered case with a prayer to proceed under Section 156(3) of the Code before the Judicial Magistrate, First Class, Raipur, Chhattisgarh who had passed the impugned order under challenge dated 13.11.2013. He further prays for a direction that while hearing the said complaint, the order passed by the Judicial Magistrate, First Class dated 13.11.2013 and the order passed by the Revisional Court in Criminal Revision No. 490 of 2013 dated 17.12.2014 shall not come in the way.

2. As prayed, the instant Cr.M.P. is disposed of as withdrawn with the aforesaid liberty. Needless to mention that while hearing the said criminal

complaint case by the concerned criminal court having jurisdiction, the order passed by the Judicial Magistrate, First Class, Raipur dated 13.11.2013 and the order passed by the Revisional Court dated 17.02.2014 shall not come in the way and the concerned criminal court shall appreciate the matter on the strength of merits and provisions of law in the said matter.

Sd/-

Chandra Bhushan Bajpai
Judge