

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No. 49 of 2016

Satpal Singh Bal S/o Late Bandhan Singh Bal Aged About 40 Years
R/o Village Jhalmala, P.S. Jutemill Chowki, Tahsil & Distt. Raigarh,
Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Ministry Of Home, Mahanadi Bhawan, Naya Raipur, District Raipur, Chhattisgarh.
2. The Station House Officer, Police Station Pussour, District Raigarh, Chhattisgarh.

---- Respondent

For petitioner – Shri B.P. Sharma, Advocate.
For Respondents/State – Shri Satish Gupta, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

13/01/2016

1. Heard.
2. Perusal of the documents shows that earlier petitioner along with others have preferred W.P. (Cr.) No.78/2014 which was withdrawn on 5/01/2016 on the same issue challenging action of the State. Now this petition has been filed under Section 482 of Cr.P.C. Admittedly, earlier writ petition which was bearing number W.P. (Cr.) No.78/2014, which was filed was before another bench was dismissed as withdrawn and it appears predominantly the same issue is under challenge before this court. Therefore, considering the fact predominantly the same issue has been challenged before this court in the opinion of this court it would not be proper to go into merits of this case by this court. Therefore, I am not inclined to interfere with this petition under Section 482 of Cr.P.C. as it may not lay down the correct precedent and system.

3. Accordingly, the Cr.M.P. is disposed of. Petitioner, if so advised, may prefer writ petition before the bench having roaster in terms of the earlier withdrawal order by another coordinate bench.
4. Registry is directed to return documents to learned counsel for the petitioner after obtaining photo copy of the same.

Sd/-
(Goutam Bhaduri)
JUDGE

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