

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Cr.M.P. No. 716 of 2016**

Jagdish Singh Saini S/o late Shri Trilok Singh Saini, aged about 61 years, R/o HIG 10, Tatibandh, Raipur, P.S. Aama Naka, Civil & Revenue District- Raipur, C.G.

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

State of Chhattisgarh through Police Station in charge, PS Dharsiwa, Raipur, CG

---- **Respondents**

For Petitioner	:	Shri K. Raghavcharyulu with Shri Vaibhav Shukla, Advocates
For Respondent State	:	Shri Anupam Dubey, Dy. Govt. Advocate
For Objector	:	Shri Kishore Bhaduri with Shri Ashish Surana, Advocates

Hon'ble Shri Justice P. Sam Koshy**Order On Board****25.07.2016**

Th present petition under Section 482 CrPC has been filed seeking for quashment of the FIR No.249/2014 registered at PS Dharsiwan, Raipur for the offence under Section 420, 409, 120-B/34 of IPC.

2. Counsel for the petitioner in the course of argument submits that the State in the meanwhile filed the charge sheet on 21.08.2014 and in the said charge sheet the petitioner has not been shown as an accused.

3. On the said submission made by the counsel for the petitioner, this Court is of the opinion that since in the charge sheet filed in the present case, the petitioner has not been shown as an accused nor has he been declared as an absconder, it appears that as of now he has not been made an accused in the case and therefore, the petition will not be maintainable.

4. At this juncture, counsel for the petitioner prays for withdrawal of the petition with liberty to file appropriate application as and when the petitioner if at all is made an accused.

5. Accordingly, the present petition is dismissed as withdrawn with the aforesaid liberty.

Sd/-

P. Sam Koshy
Judge