

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Criminal Revision No. 690 of 2016**

K.K.Yadu S/o Madanlal Yadu Aged About 52 Years Posted As District Manager, C.G. State Civil Supplies Corporation Limited, Bilaspur, R/o Dahama Sadan, Near Shanti Niketan School, Punjabi Colony, Bilaspur Chhattisgarh

---- Applicant**Versus**

State Of Chhattisgarh Through Officer - In - Charge, Anti Corruption Bureau (E.O.W.) Bilaspur Chhattisgarh

---- Non-applicant

For Applicant:

Mr. Akhil Mishra, Advocate

For Non-applicant/State:

Mr. B. Gopa Kumar, Dy. Advocate
General

Hon'ble Shri Justice P. Sam Koshy

Order on Board

26.07.2016

1. The present Criminal Revision has been filed challenging the order dated 30.06.2016 passed by Special Judge (P.C. Act), Bilaspur in Special Case No. 120/2016.

2. The grievance of the present Applicant in respect of the said impugned order is that prior to the framing of charge he was not given sufficient opportunity of hearing. He further submits that on 30.06.2016 that is the date on which the impugned order was passed the matter was otherwise fixed for consideration of the documents which was filed by the present Applicant in respect of non-consideration of the material document which the Applicant had brought to the notice of the investigating agency as well as the Court below while the charge sheet was being submitted.

3. After considering the submissions put forth by the Counsel for the Applicant and on perusal of the record what clearly reflects is that the matter was, from 04.03.2016 onwards being adjourned for arguments before framing of charge. However, in between the present Applicant is said to have moved an application for considering certain documents which he intended to rely upon as his defence in the course of the investigation before charge being framed. The said application was duly considered and rejected by the Court below on 30.03.2016 and thereafter the Court below proceeded further to hear the parties to the dispute before framing of charge. The order sheet dated 30.06.2016 clearly reflects that after rejection of the Miscellaneous Application filed by the present Applicant the Court below had adjourned the matter to be taken up after a while. Subsequently, when it was taken up the arguments were heard as is reflected from the order sheet and thereafter the Court proceeded for framing of charge.

4. In the opinion of this Court, there appears to be no illegality or infirmity on the part of the Court below in passing the impugned order dated 30.06.2016.

5. The present Criminal Revision being devoid of merit liable to be and is accordingly dismissed.

Sd/-
(P. Sam Koshy)
JUDGE