

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No. 132 of 2016

- Rajesh Kumar Agrawal S/O Vijay Kumar Agrawal Aged About 43 Years By Caste Agrawal, R/O Kotba, Police Chowki-Kotba, P.S. Bagbahar, Tahsil Patthalgaon, District Jashpur Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Pathalgaon, District Jashpur Chhattisgarh.

---- Respondent

For the Applicant : Shri Awadh Tripathi and Shri Vivek Tripathi, Advocates
for the applicant.

For the Respondent : Shri Arvind Dubey, PL for the State/respondent No.1

Hon'ble Shri Justice Chandra Bhushan Bajpai

Order on Board

16/09/2016

1. Heard.
2. On due consideration, for the facts required under Section 437 sub-section 6 of the Code of Criminal Procedure, 1973 (in brevity 'the Code') wherein it is provided that limitation of filing an application under the said provisions shall start after the expiry of 60 days from the first date fixed for taking evidence in the case.
3. There is no substance in the instant CRMP filed under Section 482 of the Code as the statute already provided limitation in Section 437 sub-section 6 of the Code, the instant CRMP is disposed of. Applicant is granted liberty to file a fresh application under Section 437 sub-section 6 of the Code, if

he so desires before the trial Court. If any such application is filed, the trial Court shall dispose of the same in accordance with law. Applicant may file copy of this order before the trial Court.

4. The instant CRMP is disposed of.

Sd/-

(Chandra Bhushan Bajpai)

Judge

Nisha