

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CRIMINAL MISC. PETITION NO. 961 OF 2016

Raj Chetani son of Dileep Chetani, aged about 27 years, Resident of Jarhabhata Mandir Chowk, Bilaspur, Police Station Civil Line, Bilaspur, District Bilaspur (CG).

... Petitioner

Versus

State of Chhattisgarh, through Police Station, Sirgitti, District Bilaspur (CG).

... Respondent

For Petitioner	:	Shri Yogeshwar Sharma, Advocate.
For Respondent-State	:	Shri Rajendra Tripathi, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

06/09/2016

1. The present petition under Section 482 of CrPC has been filed by the petitioner seeking for releasing of seized Mobile set on Supurdnama. Application under Section 457 CrPC filed by the petitioner for releasing the said Mobile set was dismissed by the Sessions Judge, Bilaspur, in Criminal Revision No.66/2016 on 14.07.2016.
2. Having considered the submissions put forth by the counsel for the petitioner and taking in to consideration the fact that the nature of offence registered against the petitioner in Crime No.51/2016 at Police Station, Sirgitti, District Raipur, was one under Section 4(A) of the Gambling Act and Sections 59(A) and 34(2) of the Excise Act; further, it is reflected that there were large number of details in the mobile set in respect of the act of gambling pursued by the petitioner and the said mobile set was a relevant piece of material for the prosecution required for at the time of evidence.

Thus, in the opinion of this court, the said Mobile set cannot be released on Supurdnama at this juncture.

3. Thus, the court below has not committed any illegality while rejecting the application filed by the petitioner under Section 457 CrPC.

4. Accordingly, the petition being devoid of merit is liable to be and is hereby dismissed.

**Sd/-
(P. Sam Koshy)
Judge**

inder