

HIGH COURT OF CHHATTISGARH AT BILASPUR

M.Cr.C.(A) No. 682 /2016

Gitesh Kumar Gandhi, S/o. Late P.C. Gandhi, Aged About 40 Years,
Proprietor, M/s. Diti Enterprises, R/o. Vikas Nagar Kondagaon, P.S.
Kondagaon, Revenue & Civil District Kondagaon, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Inspector / Labour Officer, Kondagaon,
District Kondagaon, Chhattisgarh.

---- Respondent

For Applicant : Mr. P.K.Tulsyan, Advocate.
For Respondent : Mr. Anil S. Pandey, Govt. Advocate &
Mr. Anupam Dubey, Dy. Govt. Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

05/08/2016

1. Apprehending arrest in connection with Complaint Case No. 547/BOCW Act/2014/Criminal registered at Labour Court Jagdalpur (C.G.) for the offence punishable under Sections 48, 50 & 53 of the Building & Other Construction Work (Regulation of Employment & Conditions of Service) Act, 1996, the applicant has preferred this application under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail.
2. Perusal of the sections would show that the offences are bailable in nature, therefore, the application under Section 438 of Cr.P.C. would not lie. The applicant, if so advised, may approach to the competent Court having jurisdiction and may seek appropriate remedy. It is further observed that if the applicant appears and file an application for cancellation of warrant/ grant of bail, it may preferably be decided on the same day.

Sd/-
(Goutam Bhaduri)
Judge