

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**CRMP No. 902 of 2015**

Rajendra Prasad Sahu S/o Late Jairam Sahu Aged About 50 Years
Occupation Service, R/o Kothari Bandhu Lane, Behind Apsara Hotel,
Lohara, Kuch Lalpur, Police Station, Tahsil, Civil And Rev. Distt. Ranchi
(Jharkhand).

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

1. Smt. Kusum Soni Wd/o Late Ritesh Soni Aged About 26 Years D/o Shri Vishwajit Soni
2. Abhijit Soni S/o Late Ritesh Soni Aged About 6 Years Through Guardian Mother Non-Applicant No. 1 Smt. Kusum Soni Wd/o Late Ritesh Soni, Aged 26 Years, D/o Shri Vishwajit Soni

Both R/o Mohalla Sattipara Nagar, Ambikapur, Police Station & Tahsil Ambikapur, Civil and Rev. Distt. Surguja Chhattisgarh.

---- **Respondent**

For Petitioner	: Mr. Manoj Paranjpe with Mr. Vikram Dixit, Advocates.
For Respondents	: Mr. Rahul Mishra, Adv.

Order On Board**02/05/2016**

1. Heard on admission.
2. On due consideration, especially the order passed by the trial Court dated 22-12-2014 wherein the trial court held that triable issues can only be disposed of by taking evidence hence the trial court dismissed the application and listed the matter for arguments on application filed by the complainant under Section 23 of the Protection of Women from Domestic Violence Act, 2005, in the considered opinion of this Court, there is no illegality or impropriety in the orders passed by the trial court and also by the appellate court for the said part. The petitioner is always at liberty under the provisions of law to raise all the issues before the trial court as and when occasion arises. I am not inclined to invoke the jurisdiction vested to this court under Section 482 of the Cr.P.C.
3. With the above observations, this CRMP is disposed of at motion stage itself as premature.

Sd/-
(Chandra Bhushan Bajpai)
Judge