

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Cr.M.P. No. 992 of 2015**

1. Tribhuwan Agrawal S/o Jagdish Prasad Agrawal Aged About 37 Years R/o Gulab Nagar Devpuri, P.S. Tikrapara, Tah. & Distt. Raipur, Civil & Rev. Distt. Raipur, Chhattisgarh.
2. Jagdish Agrawal S/o B.P. Agrawal Aged About 65 Years R/o Ward No. 21, Sitli Nala, Mahasamund, P.S., Tah. & Distt. Mahasamund, Civil & Rev. Distt. Mahasamund, Chhattisgarh.

---- Petitioners**Versus**

1. Smt. Pratibha Agrawal W/o Tribhuwan Agrawal Aged About 36 Years R/o Turi Hatri, Near Jagannath Temple, Purani Basti, Tah. & Dist. Raipur, Civil & Rev. Distt. Raipur, Chhattisgarh.
2. State Of Chhattisgarh Through District Magistrate Raipur, P.S. Civil Line, Tah. & Distt. Raipur, Civil & Rev. Distt. Raipur, Chhattisgarh.

---- Respondents

For the Petitioners	:	Shri Ratnesh Kumar Agarwal, Advocate.
For Respondent No.1	:	Shri Adhiraj Surana, Advocate.
For Respondent No.2/State:	:	Shri S.C.Khakhariya, Deputy A.G.

Hon'ble Shri Justice Chandra Bhushan Bajpai**Order on Board****09/05/2016**

1. At the outset, Learned counsel for the Petitioners submits that he never prays in any Court of law for joint trial of Criminal Case No. 1191 of 2013 (State of Chhattisgarh vs. Tribhuwan Agrawal) and Criminal Case No.1731 of 2013 (State of Chhattisgarh vs. Brij Kishore). The sole prayer of the Petitioners was for holding both the trials on the same day and also for disposal of both the criminal cases on the same day, but separately.
2. Learned counsel for Respondent No.1 submits that both the cases are not counter cases, hence, they cannot be tried jointly.

3. Perused the record and considered the submissions made as above.
4. On due consideration, the instant Cr.M.P is disposed of. This Court has not observed whether the above two criminal cases are counter cases or not and the same could only be appreciated at the time of judgment after appreciation of the entire evidence adduced. So far as holding the trial of the two criminal cases on the same day, there is no any illegality or impropriety in the said prayer. Consequently, the trial Court is directed to hold both the criminal cases on the same day. The nature of the cases whether they are counter or not, to be appreciated and adjudicated in the judgment itself.
5. With the aforesaid observation, the petition is disposed of.
6. No order as to costs.

SD/-

Chandra Bhushan Bajpai
Judge