

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No.1197 of 2015

1. Harish Kumar S/o Chanchaldas Ganeshani, aged about 45 years, R/o Sindhi Colony, Police Station Mohan Nagar Durg, Civil and Revenue District-Durg Chhattisgarh.

---- Applicant

Versus

1. State of Chhattisgarh Through the District Magistrate, District-Durg Chhattisgarh.

---- Respondent

For Applicant – Mr. Sanjay Agrawal and Mr. Goutam Khetrapal, Advocates.
For Respondent – Ms. M.Asha, Panel Lawyer.

Hon'ble Shri Justice Chandra Bhushan Bajpai

Order on Board

28/03/2016

1. At the outset, learned counsel for the applicant submit that they be permitted to withdraw the instant Cr.M.P. with liberty to file a proper application under the provision of Section 258 of the Code of Criminal Procedure, 1973 (in short 'the Code') before the trial Court and the trial Court shall dispose of the same on the basis of strength and merits of entire charge sheet, provisions of law without being influenced with the appreciation and adjudication by the Additional Sessions Judge, Durg, C.G. in Criminal Revision No.196/2015 vide order dated 20-11-2015.

2. On due consideration, as prayed, the instant Cr.M.P. is disposed of as withdrawn without any appreciation on its merit reserving the aforesaid liberty. Needless to mention that if any such application under Section 258 of the Code is filed afresh by the applicant/accused before the trial Court, the same shall be disposed of on the basis of material in the entire charge sheet and provisions of law by the trial Court without being influenced with the order dated 20-11-

2015 passed by the Additional Sessions Judge, Durg, C.G. in Criminal Revision No.196/2015.

3. The petition disposed of as withdrawn.

Sd/-
(Chandra Bhushan Bajpai)
JUDGE