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**HIGH COURT OF CHHATTISGARH, BILASPUR****CRMP No. 1203 of 2016**

1. B.L. Panthi (Bhaiyyalal Panthi) S/o Shri Basori Lal IPanthi, aged about 74 years, R/o Massenet 16, Shankar Nagar, Raipur. The then Assistant Commissioner, Commercial Tax, Durg (CG). Presently Assistant Commissioner, Sales Tax, Satna (M.P.). Permanent Address : Gadakota, District Sagar (M.P.)
2. Smt. Champadevi Panthi, W/o Shri B.L. Panthi, R/o Massenet 18 Shankar Nagar, Raipur, Distt. Raipur (C.G.)

---- Petitioners

**Versus**

- State of Chhattisgarh, Through : State Economic Offence Investigation Bureau, Raipur.

---- Respondent

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| For Petitioners. | - | Ms. Fouzia Mirza, Advocate. |
| For Respondent   | - | Shri Adil Minhaj, P.L.      |

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**Hon'ble Shri Justice Pritinker Diwaker****Judgment On Board****20/12/2016**

Heard on admission.

2. Challenge in the present petition is to the order dated 19.08.2016 passed by Special Judge (Prevention of Corruption Act) and 1<sup>st</sup> Additional Sessions Judge, Raipur in Special Sessions Trial No.06/2002, whereby the trial Court has rejected the application as filed by the petitioner (Annexure P/4) raising objection regarding jurisdiction of the Court to try with the case.
3. According to the petitioner, the sanction for prosecution was granted in the month of February, 2002 by the State of Madhya Pradesh, and at that time the petitioner was posted in the territorial

jurisdiction of the present Madhya Pradesh. It has been further pleaded that the petitioner has also retired from District Satna (M.P.) and, therefore, also the trial Court at Raipur has no jurisdiction to try the case. Counsel for the petitioner has also submitted that the offence was registered by the State Economic Offence Investigation Bureau, Bhopal and as such the Court of Chhattisgarh will not have the jurisdiction to try with the case.

4. Considering all these aspects of the case, it has been observed by the trial Court that the check period was from 01.01.1984 to 30.07.1992 and during this period the petitioner was posed at Raipur and Durg and, therefore, the Court at Raipur has jurisdiction to try the case. I find no illegality or infirmity with the order impugned warranting interference by this Court. The application as filed by the petitioner has rightly been rejected by the trial Court. Yet another important aspect of case is that the petitioner had filed the application raising objection regarding jurisdiction of the trial Court after 14 years of filing of the challan and on this ground also the petition is liable to be dismissed.

5. Accordingly, the CRMP preferred by the petitioner is bereft of any substance, the same is liable to be and is hereby dismissed at the admission stage itself.

Sd/-

**(Pritinker Diwaker)**

**JUDGE**