

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No. 1281 of 2016

- Mangal S/o Babu Das Manikpuri Aged About 49 Years R/o Purani Basti Kota, Police Station Kota, District Bilaspur, Chhattisgarh.

---- Petitioner

Versus

- State Of Chhattisgarh Through Station House Office, Police Station Kota, District Bilaspur, Chhattisgarh.

---- Respondent

For Petitioner	Mr. N.K . Chatterjee, Advocate
For Respondent /State	Ms. Tripti Rao, Panel Lawyer

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

23/11/2016

1. Heard.
2. The petitioner is aggrieved by the order passed by the XI Additional Sessions Judge, Bilaspur, rejecting his application under Section 317 Cr.P.C. seeking exemption from personal appearance.
3. While refusing to allow the application, the trial Court has observed that for last so many dates, the petitioner is avoiding framing of charges and is delaying the trial, therefore, the application for exemption from personal appearance does not appear to be bonafide.

4. In the present petition also, the petitioner has only filed the impugned order without annexing the copy of the application under Section 317 of Cr.P.C. or any other documents, from which it can be gathered as to the exact reason for applying for exemption and the veracity thereof.
5. It appears, the trial Court has exercised its judicial discretion in the facts and circumstances of the case, which need not be interfered under Section 482 of Cr.P.C.
6. For the foregoing, not case for interference is made out. The petition is accordingly dismissed. Sd/-

Judge

(Prashant Kumar Mishra)

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