

HIGH COURT OF CHHATTISGARH, BILASPUR**Cr.M.P. No.1371 of 2016**

Kanta Damle, W/o Shri Jaimal Damle, aged about 64 years, R/o Near Ambedkar, Pratima, Station Road, P.S. O.P. Chikhali, Rajnandgaon, Tahsil & District Rajnandgaon (CG).

Petitioner**VERSUS**

Sheshmal Lohiya, S/o late Chandmal Lohiya, R/o Kiran Medical Stores, Near Old Hospital, Rajnandgaon, Tahsil & District Rajnandgaon (CG).

---- Respondent

For Petitioner : Shri Badruddin Khan, Advocate.

For State : Shri Prasun Bhaduri, Govt. Advocate

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****14/12/2016**

(1) The trial Court has rejected an application under Section 309 of Cr.P.C. finding no merit. Against which, this petition has been preferred by the petitioner.

(2) The trial Court has recorded sufficient reason for rejecting an application under Section 309 of Cr.P.C. as there is deliberate delay in the examination of the complainant's witnesses. The reasons recorded by the trial Court are adequate and based on material available on record.

(3) After hearing learned counsel for the parties, I do not find any jurisdictional error in the impugned order, therefore the petition deserves to be and is accordingly dismissed at admission stage.

Sd/-

(Sanjay K. Agrawal)
Judge

L/-