

HIGH COURT OF CHHATTISGARH, BILASPURWrit Petition (C) No.5192 of 2007

Kailash Prasad Gupta, aged about 37 years, S/o Shri Shambhu Nath Gupta, Member/Treasurer, Garima Shikshan Kendra (Regd. No.2453 dated 27.03.99), R/o Kedarpur, Bhatthi Road, Ambikapur, Distt. Surguja (C.G.)

---- Petitioner

Versus

1. State of Chhattisgarh, Through Town Inspector, Police Station & Tahsil Sitapur, District Surguja (C.G.)
2. Chhattisgarh Board of Secondary Education, Raipur (C.G.), Through Secretary.
3. Muneshwar Nikunj, aged about 25 years, S/o Suila Ram, R/o Bhatthipara, Sitapur, P.S. and Tahsil Sitapur, Distt. Surguja (C.G.)
4. Gurukul Vishwavidyalay Vrindavan, Aryapratidinidhi Sabha, 5, Meera Bai Marg, Near Narhi Sabji Mandi, Lucknow (U.P.)

---- Respondents

For Petitioner: Mr. V.G. Tamaskar, Advocate.

For Respondent No.1/State: -

Mr. Dhiraj Kumar Wankhede, Govt. Advocate.

For Respondent No.2: Mr. H.B. Agrawal, Senior Advocate with
Mrs. Meera Jaiswal, Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

23/11/2017

1. The petitioner has filed this writ petition for quashing the offence registered against him under Sections 420, 468 and 471 of the IPC which is said to be under Crime No.122/2007 at Police Station Sitapur, Tahsil Sitapur, Distt. Surguja. But a careful perusal would show that the petitioner has neither filed copy of charge-sheet nor filed any material to show that any case of interference is made out in his favour. Even otherwise, trial is in progress and for want of charge-sheet and necessary documents, charge-sheet cannot be

quashed. The trial Court finding prima facie case framed charge against the petitioner and proceeded with the trial, that has also not been challenged.

2. In view of the above, I do not find any merit in the petition, the petition is liable to be dismissed and it is hereby dismissed. No order as to cost(s).

Sd/-
(Sanjay K. Agrawal)
Judge

Soma