

HIGH COURT OF CHHATTISGARH, BILASPUR**CRMP No. 1251 of 2017**

- Gajanand Singh Rahi (G.S. Rahi) S/o Shri Phool Singh Rahi, Aged About 61 Years Executive Engineer Department Rural Engineering Govt. Of C G R/o Naya Sarkanda Gali No. 4 Police Station & Post Office Sarkanda Bilaspur Pin 495001 Tehsil & District Bilaspur, Chhattisgarh.

---- Petitioner**Versus**

- State Of Chhattisgarh Through S.H.O., Police Station Jashpur, District Jashpur, Chhattisgarh.

---- Respondent

For Petitioner : Shri Shakti Raj Sinha, Advocate.

For Respondent/State : Shri Ashish Shukla, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****14/09/2017**

Heard.

1. Learned counsel for the petitioner submits that charge-sheet was filed in abscondance of petitioner against co-accused persons before the trial Court, the case has been concluded and judgment dated 21.7.2017 has been passed in connection with one accused R.N. Nikunj.
2. Trial has been concluded against the co-accused persons as the petitioner remained absconding during the trial and warrant of arrest has been issued against him. It is submitted that petitioner wishes to give his appearance before the Court and is ready to face the trial for which some time may be granted to him and in this regard suitable directions may be

issued. It is also submitted that petitioner is suffering from grievous respiratory disease requiring regular medical treatment and the reason for his absence before the Court below at the relevant point of time is also that he was under treatment at Bilaspur and thereafter at Kolkata, Delhi, Allahabad and Bangalore.

3. Learned counsel for the State opposes the grounds raised in petition and arguments advanced in this behalf.
4. Heard both the parties and perused the material on record.
5. As the petitioner is ready to give his appearance before the trial Court, he can do so by appearing before the trial Court concerned. So far as the prayer for grant of bail on account of issuance of warrant of arrest against him is concerned, the petitioner has option to approach the Court concerned by filing an application under Section 70 (2) of Cr.P.C. for cancellation of warrant and along with it, he can also file application for grant of bail.
6. In view of above, the petition is disposed off with a direction to the petitioner to appear before the trial Court on or before 30th November, 2017.

Sd/-
(**Rajendra Chandra Singh Samant**)
JUDGE