

HIGH COURT OF CHHATTISGARH, BILASPUR**Cr.M.P.No.523 of 2017**

Dr.Nageshwar Das Manikpuri, son of late Haridas Manikpuri, aged about 34 years, R/o Hari Nagar, Katulbod, Infront of Sapna Kirana Stores, Durg, Tahsil and District Durg (CG)

---Petitioner**Versus**

Madho Rao son of late Shrawan Jai Patil, aged about 58 years, R/o Central Township, Qtr.No.8/B, Dallirajhara, Tahsil Dondi, District Balod (CG)

---Respondent

For Petitioner : Mr.Praveen Dhurandhar, Advocate

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****01/05/2017**

1. In a criminal case filed by the respondent, the petitioner made an application for demarcation of the land belonging to the complainant, which was rejected by the trial Court and the order of the trial Court has been affirmed by the Appellate Court, against which, this writ petition under Section 482 of the CrPC has been filed.

2. Learned counsel for the petitioner would submit that order passed by two Courts below are contrary to law.

3. After hearing learned counsel appearing for the petitioner at some length, I find that while passing the orders both the Courts below have not committed any jurisdictional error. The petitioner/accused sought for demarcation of land in a criminal complaint instituted under Section 138 of the Negotiable Instruments Act, 1881. Such a prayer in criminal

cases is unknown as well as impermissible in law. The petitioner/accused is at liberty to take all possible and permissible steps during course of the trial.

4. Consequently, the petition is dismissed in *limine* with the aforesaid observation.

Sd/-

**(Sanjay K. Agrawal)
JUDGE**

B/-