

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**CRMP No. 324 of 2015**

1. Vallabh Das Bhojani S/o Dharmasi Bhojani Aged About 75 Years
2. Smt. Nirmala Bhojani W/o Vallabh Das Bhojani Aged About 66 Years

Both are R/o G.E.Road Rajnandgaon, Tahsil And District- Rajnandgaon, Chhattisgarh

---- Petitioners**Versus**

- Akhilesh Kumar Agrawal S/o Ramnarayan Agrawal R/o House No. 268, Behind Gayatri Mandir, Samta Colony Raipur, Tahsil And District- Raipur, Chhattisgarh

---- Respondent

For Petitioners : Shri L.C. Dash, Advocate

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****05/12/2017**

1. Heard.
2. This petition is against the order dated 20.03.2015, passed in Criminal Revision No.36/2014 by the First Additional Sessions Judge, Rajnandgaon (C.G.) whereby the order of dismissal of a complaint passed by the JMFC, Rajnandgaon, was affirmed.
3. Perusal of the impugned order would show that it was alleged that one cheque of the State Bank of India and one cheque of Rajya Gramin Bank were fraudulently filled by the respondent and the same were dishonoured. Perusal of the order would show that the said chques were not produced and were called for evidence from the trial Court and in absence of

producing the cheques, the trial Court dismissed the complaint on the ground that the cheques were not produced before the Court.

4. In view of the above, since the cheques, which were made the basis of the application were not produced before the Court, the Court has dismissed the complaint and it cannot be said that the illegality has been committed by the Court below in rejecting the complaint as the very nature of evidence which was required was withhold by the petitioner. In view of this, the petition has no merit. It is accordingly dismissed.

Sd/-

Goutam Bhaduri

Judge

Ashu