

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**CRMP No. 638 of 2017**

- Suryakant Naidu S/o Late C. K. Naidu Aged About 64 Years R/o Behind Community Center, Katghora, Tahsil Katghora, Revenue & Civil District Korba (Chhattisgarh)

---- **Petitioner****Versus**

1. Pramod Naidu S/o Late C. K. Naidu, Aged About 48 Years R/o Barbhata, Katghora, District Korba (Chhattisgarh)
2. Chhattisgarh Government Through District Magistrate, Korba, District Korba (Chhattisgarh)

---- **Respondents**

For Petitioner	: Shri SV Purohit, Advocate
For respondent 2	: Shri Anil Pandey, GA on advance copy

Hon'ble Shri Justice Chandra Bhushan Bajpai**Order On Board****19.6.2017**

1. The matter is listed for admission.
2. After perusal of the prayer made in the instant CRMP, it appears that the petitioner prayed for cancellation of bail granted to respondent No. 1- Pramod Naidu by the Court of Additional Sessions Judge, Katghora, District Korba (CG) vide order dated 9.3.2017 in Bail Petition No. 80/2017. The petitioner had not filed any petition for cancellation of bail before the concerned Sessions Judge under the provisions of Section 439 (2) of the Code of Criminal Procedure, 1973 (for short the Code).
3. Initially, the petitioner is required to file a petition for cancellation of aforementioned bail before the said Court of

Sessions. With these observations, the instant CRMP is disposed of without any appreciation on its merits reserving liberty in favour of the petitioner to file a Petition before the concerned Sessions Court under Section 439 (2) of the Code.

4. Accordingly, the instant CRMP is disposed of.

Sd/
(Chandra Bhushan Bajpai)
JUDGE