

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 488 of 2017**

1. Somnath S/o Tilak Ram, Aged About 26 Years R/o Village Kolar, Post Kolar, District Raipur, Chhattisgarh.
2. Yogesh S/o Pawan Kumar Sahu Aged About 30 Years R/o Village Changora, District Raipur, Chhattisgarh.

---- Applicant

Versus

State of Chhattisgarh through the Station House Officer, Police Station Amleshwar, Civil & Revenue District Durg, Chhattisgarh.

---- Respondent

For applicant	:	Mr. Purnendra Khichariya, Adv.
For Respondent/State	:	Mr. Anant Bajpai, Panel Lawyer.

Hon'ble Shri Justice Chandra Bhushan Bajpai**Order On Board****3-8-2017**

1. From perusal of the impugned order dated 17-3-2016 it appears that the trial Court has not yet held that the charges be altered and in addition, also framed charge under Section 327 of the IPC. Merely an application in this behalf is filed by the Assistant Public Prosecutor for a prayer to frame charges in addition under Section 327 of the IPC. As the Court has not yet allowed the said application to frame additional charge, with this, instant MCRCA is disposed of as premature without any appreciation on its merit reserving liberty to the applicant to approach to this Court after the appropriate order is passed by the trial Court regarding framing of additional charge under Section 327 of the IPC.
2. Instant MCRCA is accordingly disposed of.
3. Copy of the order be sent to the trial court for information. The applicant may also file copy of the order before the trial Court for information.

Sd/-
(Chandra Bhushan Bajpai)
Judge