

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CR.M.P. No. 736 of 2017

Vishnu Kumar Mahato, S/o. Late K. P. Mahto, Aged About 52 Years, R/o. Village Salihabhata (Barpali), Thana Urga, Tahsil Kartala Revenue and Civil District -Korba, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh, Through : District Magistrate, Applicant Through District Korba Chhattisgarh
2. Shivkumar Mahto, S/o. Late K. P. Mahto, Aged About 55 Years, R/o. Village Barpali Thana Urga, Tahsil Kartala Revenue and Civil District Korba Chhattisgarh

-----Respondents

For Petitioner	: Mr. Purnendra Khichariya, Advocate
For Respondent No.1/State	: Mr. Neeraj Sharma, Govt. Advocate

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

28/07/2017

Heard.

1. Counsel for the petitioner submits that petitioner has been falsely implicated in the prosecution case on complaint made by Shiv Kumar Mahto for offence U/s. 279, 337 of Indian Penal Code. The medical report of the injured in this case demonstrates that he has suffered no injury.
2. Counsel for the State opposed the admission of this petition.
3. Perused the documents submitted in the prosecution case against the petitioner, where direct allegation and statement of witnesses has been

made against the petitioner. It is for the petitioner to raise defence and disprove the case of the prosecution before the trial Court. There is no scope in this matter to invoke provisions of Section 482 of Cr.P.C. and quash criminal proceeding. Hence this petition is dismissed at the motion stage itself.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Balram