

HIGH COURT OF CHHATTISGARH, BILASPUR

CRR No. 621 of 2017

Pravin Sao S/o Shri R. K. Sao Aged About 45 Years Proprietor-
Vaibhav Travels, R/o House No. 381, Behind Popular Bread
Factory, Katoratalab, Thana- Civil Lines, District Raipur,
Chhattisgarh.

---- Applicant

Versus

Sunil Bajaj S/o Shri Rawal Das Bajaj Aged About 38 Years R/o House
No. C- 312, Maitrinagar, Thana- D D Nagar, District Raipur,
Chhattisgarh.

---- Respondent

For applicant - Shri Ajay Mishra, Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order

28/06/2017

1. Heard.
2. Petition is against the order dated 12/04/2017 whereby an application under Section 311 of Cr.P.C whereby applicant wanted to examine the income tax officer was refused.
3. Perusal of the order sheet and the record would show that complaint was filed under Section 138 of Negotiable Instrument Act against the applicant in the year 2011 wherein order sheet would show that case was pending for defence evidence from 2011 but nothing transpired despite the fact that cases are of summary nature after six years such application have been moved. Perusal of the copy of the application which is filed under Section 311 of Cr.P.C. would show that no sufficient reasons have been shown and application was moved in the year 2016 after lapse of considerable period. Reasons stated in the

application do not inspire confidence that evidence of the income tax officer would be necessary. Consequently, I do not find any illegality or perversity to interfere in the order of dismissal of the application under Section 311 of Cr.P.C.

4. Accordingly, the petition is dismissed.

Sd/-

(Goutam Bhaduri)

JUDGE