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HIGH COURT OF CHHATTISGARH, BILASPUR**Cr.M.P. No. 785 of 2017**

1. Bikram Kumar Pradhan S/o Jaso Banta Pradhan Aged About 48 Years Managing Director, M/s Meghana Mines & Minerals Resources Private Limited, R/o N-4/208, I.R.C. Gram, Nayapalli, Police Station Nayapalli, Bhuneshwar (Odisha) 751015.
2. Sanchaita Bhanja S/o Subhash Chandra Bhanja Aged About 48 Years Director M/s Meghana Mines & Minerals Resources Private Limited, R/o N-4/208, I.R.C. Gram, Nayapalli, Police Station Nayapalli, Bhuneshwar (Odisha) 751015.
3. M/s Meghana Mines & Minerals Resources Private Limited. Through Managing Director, Bikram Kumar Pradhan, R/o N-4/208, I.R.C. Gram, Nayapalli, Police Station Nayapalli, Bhuneshwar (Odisha) 751015.

---- Petitioners**Versus**

ABIS Export (I) Private Limited Registered Office, Village Indamara, Post Pendry, P.S. Labag, Tahsil & District Rajnandgaon Chhattisgarh, Through Field Manager, Sheikh Navabudddin Son Of Sheikh Babudddin, Aged About 36 Years, R/o Mamta Nagar, Street No. 07, Ward No. 19, Town, Tahsil & District Rajnandgaon Chhattisgarh.

---- Respondent

For the Petitioners : Shri Praveen Dhurandhar, Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Judgment on Board****05.07.2017**

1. Learned counsel for the petitioners submits that the petitioners are facing a prosecution before the trial court on the basis of a complaint under Section 138 of the Negotiable Instruments Act filed by the respondent.
2. The petitioners have appeared through counsel before the court below on 11.11.2016 and moved an application under Section 205 of the Code of Criminal Procedure. The trial court has kept this application pending with a direction to the petitioners to give appearance before the court. It is prayed

that this petition may be disposed of with a direction to the trial court to decide the application of the petitioners under Section 205 of the Cr.P.C.

3. Having heard learned counsel for the petitioners, the trial court is directed to hear the parties and consider the issue whether an application under Section 205 of the Cr.P.C. can be heard without the personal appearance of the petitioners and thereafter decide the application in accordance with law.

4. With the above observation and direction, this petition is disposed of at the motion stage.

Sd/-

(Rajendra Chandra Singh Samant)
Judge