

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No. 951 of 2017

- Shyamlal Sone S/o Shri B. R. Sone, Aged About 73 Years R/o Village Malkharoda, Tehsil Malkharoda District Janjgir Champa Chhattisgarh

---- Petitioner

Versus

- State Of Chhattisgarh Through S. H. O. Police Station Balrampur District Balrampur Chhattisgarh

---- Respondent

For Petitioner	:	Shri Shakti Raj Sinha, Advocate.
For Respondent/State	:	Shri Lav Sharma, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

31/07/2017

1. Heard.
2. It is submitted by counsel for petitioner that petitioner and one another were charged for the offence under Sections 420, 467 and 468 of IPC before the trial Court, Judicial Magistrate First Class, Ramanujganj. Petitioner was on bail during the trial. But because of his non-appearance, his trial was separated from the trial against the co-accused and a permanent warrant of arrest was issued against him on the ground of his abscondance. The trial has concluded with conviction and sentence of co-accused Lal Mohar. He preferred an appeal before the Court of Additional Sessions Judge, Ramanujganj by order dated 23.12.2013 the appeal has been concluded with acquittal of co-accused from the offences charged against him.
3. Petitioner is a senior citizen of 73 years of age. He has intended to give appearance before the trial Court and face the trial against him, but he is facing apprehension because of the permanent warrant of arrest issued against him, hence, it is prayed that this petition be disposed of with a suitable direction to the trial Court to afford some opportunity to the petitioner.

4. Learned counsel for the State has opposed the submissions made on behalf of petitioner.
5. Perused the material on record and heard the counsel for both the parties.
6. Considering the age of the petitioner and that he intends to appear before the Court and face trial, it would be appropriate to grant him one opportunity in this respect.
7. Accordingly, this petition is disposed of at the motion stage with a direction to the petitioner to appear before the trial Court on **28th August, 2017**.
8. In the meanwhile, the permanent warrant of arrest against him shall not be executed by the respondent/State till the date of fixed for hearing before the trial Court.

Sd/-
(**Rajendra Chandra Singh Samant**)
JUDGE