

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

Cr. M. P. No.460 of 2017

1. Vijay Kumar Barman, S/o Dujeram Barman, aged 38 years, R/o Parsada, P.S. Hasoud, District Janjgir-Champa (Chhattisgarh)
2. Vikas Sonwani, S/o Firatram Sonawani, aged 29 years, R/o Village Pirda, P.S. Malkharoda, District Janjgir-Champa (Chhattisgarh)

---- Petitioners

versus

State of Chhattisgarh through Police Station Hasaud, District Janjgir-Champa, Chhattisgarh

--- Respondent

For Petitioners	:	Shri V.C. Ottalwar, Advocate
For State/Respondent	:	Smt. Shobha Kashyap, Deputy Government Advocate

Hon'ble Shri Justice Anil Kumar Shukla

ORDER

11.4.2017

1. The present petition has been preferred under Section 482 of the Code of Criminal Procedure for modification of order dated 15.2.2017 passed in Criminal Revision No.28 of 2017 by this Court.
2. It is submitted on behalf of the Petitioners that this Court had issued a direction in paragraph 16 of its order dated 15.2.2017 passed in Criminal Revision No.28 of 2017 that the Trial Court shall conclude the trial of the Petitioners as early as possible, preferably within a period of three months from the date of receipt of a copy of the order. It is further submitted on behalf of the Petitioners that due to ill-health of appearing Counsel Shri V.C. Ottalwar, Advocate he is unable to appear before the Trial Court on the date mentioned in the application and, therefore, in the circumstance, a

new/fresh date may be fixed after the date of 20th April, 2017 for 3 days' trial.

3. Learned Counsel appearing on behalf of the State/Respondent opposed the instant application.
4. I have heard Learned Counsel appearing for the parties and perused the material available on record.
5. The period stipulated by this Court for concluding the trial is still left. If, for reasons beyond control, the trial is not concluded within the stipulated period of three months, the Trial Court may make a prayer for extension of the period for concluding the trial.
6. In view of the above discussion, the instant petition under Section 482 Cr.P.C. is dismissed with a direction that the Trial Court, taking into consideration health condition of Counsel Shri V.C. Ottalwar, shall fix the date of 20th April, 2017 onwards for further trial and shall conclude the trial as aforesaid in paragraph 5 above.
7. This order be communicated to the concerned Trial Court forthwith for information and necessary compliance.

Sd/-
(Anil Kumar Shukla)
JUDGE