

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**CRMP No. 322 of 2018**

1. Chandrakant Palorkar S/o Shri Laxman Rao Palorkar Aged About 78 Years
2. Smt. Suhas Palorkar W/o Shri Chandrakant Palorkar Aged About 73 Years

Both R/o Flat No.501, Amba Harsh Heaven, Seepat Road, Bilaspur, P.S. Sarkand, Distt. Bilaspur (C.G.)

---- Petitioners**Versus**

1. State of Chhattisgarh Through Station House Officer, Police Station Civil Lines, Bilaspur Distt. Bilaspur Chhattisgarh
2. Jila Panchayat Bilaspur Through Chief Executive Officer, Bilaspur District : Bilaspur, Chhattisgarh

---- Respondents

For Petitioners	:	Shri B.L. Dembra, Advocate
For Respondent-State	:	Shri Ashish Shukla, Dy. AG for the State

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****20/02/2018**

1. Learned counsel for the petitioners submit that the petitioners are aged about 78 & 73 years respectively and different civil suits were pending wherein the decree was passed in favour of the petitioners and it was held that the goods which were supplied to respondent No.2 were not substandard and the same fact was also observed by this Court in CRMP No.195 of 2006 wherein this Court on 14.08.2007 has observed that quashment of entire criminal proceedings on the ground that a decree was passed by a competent civil Court cannot be allowed particularly in view of the pendency of the civil appeal. He would further submit that the civil

appeal has also been dismissed and the petitioners are aged about 78 & 73 years, therefore, the arrest warrant which has been issued against the petitioners may be canceled.

2. Perusal of the documents filed along with the petition would show that the parties were litigating before the different forum. Considering the facts circumstances of the case and the documents, it is directed that the petitioners may appear before the Court below and may apply for bail and cancellation of the warrant within a further period of 30 days from today and the trial Court may decide the same on such surrender on the same day keeping in view the age of the petitioners. Till then no coercive steps shall be taken against the petitioners.
3. With such observation, the CRMP stands disposed of.

Sd/-

Goutam Bhaduri
Judge

Ashu