

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

CRMP No. 650 of 2018

Abhinit Sarkar Shri Naresh Sarkar Aged About 24 Years R/o- Nadipaar,
Ahmed Colony, Bengoli Para, Ward No. 20, District- Korea, Chhattisgarh.,
(Baikunthpur), Chhattisgarh --- **Petitioner**

Versus

State of Chhattisgarh through the Station House Officer, Police Station
Manendragarh, District- Korea (Baikunthpur), Chhattisgarh -- **Respondent**

09.04.2018	Mr. Kunal Das, Counsel for the petitioner. Mr. Ashish Shukla, Dy. A.G. for the State. Heard. The instant petition is against the order dated 23.02.2018 passed by the learned Special Judge, Korea (Baikunthpur) passed in Criminal Appeal No. 489/2018 whereby the application filed under section 205 of the Code of Criminal Procedure seeking exemption from appearance has been rejected. Learned counsel for the petitioner submits that the charge has not yet been framed though one year has elapsed after filing the charge sheet in the year 2016 and on each and every date, the petitioner has to appear before the trial Court and it would be difficult to appear in frequent intervals and his future career is being damaged as he is not able to leave the Korea. Having perused the order, at this stage, I am not inclined to interfere in the impugned order dated 23.02.2018. However, if the petitioner who is accused have genuine reasons to assign, he can always file an application for a day's appearance under section 317

R a o	of Cr.P.C. and seek exemption before the court. On such application being filed, it is for the trial Court to compel the appearance of accused when it is required during the course of evidence. Accordingly, the petition is dismissed. Sd/- GOUTAM BHADURI JUDGE
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