

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**CRMP No. 705 of 2018**

Daulat Ram Sahu, S/o. Late Shri Fagu Ram Sahu, Aged About 40 Years,  
R/o. Pandaripani, P.S. & Tahsil Bilaigarh, District- Balodabazar-Bhatapara,  
Chhattisgarh.

**---- Petitioner**

**Versus**

1. Asraf Khan, S/o. Akbar Khan, Aged About 37 Years.
2. Akbar Khan, S/o. Asraf Khan, Aged About 30 Years.
3. Yasim Khan, S/o. Rajkhan, Aged About 22 Years.
4. Abdul Kadir, S/o. Asrat Khan, Aged About 22 Years.
5. Shahbaj Khan @ Godul, S/o. Jamil, R/o- Aged about 24 Years.

All are R/o. Pandaripani, P.S. & Tahsil Bilaigarh, District- Balodabazar-  
Bhatapara, Chhattisgarh.

**---- Respondents**

For Petitioner : Mr. C.R.Sahu, Advocate

**Hon'ble Shri Justice Goutam Bhaduri**

**Order On Board**

**10.04.2018**

Heard

1. This petition is against the order dated 19.01.2018 passed by the learned Sessions Judge Balodabazar in Criminal Revision No.51/2017 whereby the revision preferred by the petitioner to commit the criminal case to the sessions was dismissed.
2. Perusal of the order would show that one case is pending before the Judicial Magistrate First Class Bilaigarh bearing Criminal Case No.103/2015 which was on the report of Daulat Ram Sahu which arises out of the Crime No.48/2015 under Section 147, 148, 294, 427, 452, 506, 323 & 34 of I.P.C. wherein Ashraf Khan, Akbar Khan, Yasin Khan, Abdul Kadir & Sahbaj Khan are the accused. In such case, the incident was on 04.02.2015 at about 9 P.M. at Village Pandripani wherein the complainant was assaulted by the

accused. Subsequently, the complainant Shahnaj Bano had made a report in Police Station Bilaigarh which was registered as Crime No.51/2015 for the offence under Sections 147, 148, 294, 506, 323, 452 of I.P.C. against Daulat Ram Sahu, Itwari Sahu, Dilchand, Gitesh Kumar Sahu & Anand Sahu for the incident of 05.02.2015 at about 8 A.M. at village Pandripani.

3. Prima facie both the date and time of the incident are different, therefore, the finding which is arrived at by the learned Court below that both the cases appear to be different and the cases are not counter case to each other cannot be faulted with.
4. Accordingly, the petition has no merit and is dismissed.

Sd/-  
**(Goutam Bhaduri)**  
Judge