

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

CRMP No. 1386 of 2017

Virbhadra Aged About 35 Years R/o Village Hasaud, Police Station Champa, District
Janjgir Champa Chhattisgarh. ---- **Petitioner**

Versus

State of Chhattisgarh Through Station House Officer, Police Station Champa, District
Janjgir Champa Chhattisgarh. ---- **Respondent**

02.04.2018	Mr. Kalyan Kalamkar, Counsel for the petitioner. Mr. S.R.J. Jaiswal, Panel Lawyer for the State. The prayer made in this petition filed under section 482 of the Code of Criminal Procedure is to quash the FIR No. 60/2017 dated 14.06.2017 whereby the offence punishable u/s 489(A) (B) & (C) of IPC has been registered against the petitioner. Learned counsel for the petitioner would submit that only on the basis of memorandum of co-accused Lakeshwar, the present petitioner has been inculpated and no recovery has been made from him. He further submits that except the memorandum statement of co-accused, no other evidence exists as such the case is not made out against the petitioner, therefore, the FIR dated 14.06.2017 may be quashed. The reply filed by the State would show that the petitioner is still absconding and it is stated that as and when the petitioner is arrested, the supplementary charge-sheet would be filed against him under section 173 (8) of Cr.P.C. In the statement of witnesses Chandram and Manas Deep, they have stated that when the other co-accused were apprehended it was pointed out

R a o	that the present applicant has given them the fake currency notes to be circulated. It also appears that the name of present petitioner is also mentioned in <i>Dehati Nalishi</i>, therefore, considering the fact that the petitioner is still absconding, the argument advanced by the petitioner cannot be appreciated that no recovery is made. Prima facie, the evidence would show that the allegations have been attributed to the petitioner. Considering the same, I am not inclined to quash the FIR. In the result, the petition has no merit and it is dismissed. Sd/- GOUTAM BHADURI JUDGE
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