

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**CRMP No. 888 of 2018**

- Radha Traders Through- Proprietor Sanjay Singhal, S/o Surendra Singhal, Aged About 48 Years, R/o- Raipur Road, Dhamtari, P.O. And P.S. Dhamtari, District- Dhamtari, Chhattisgarh

---- Petitioner**Versus**

1. Yadav Krishi Kendra Through- Proprietor Kuleshwar Yadav, S/o Gulab Ram Yadav, Aged About 32 Years, R/o- Sankra Road, Nagari, P.O. And P.S. Dhamtari, District- Dhamtari, Chhattisgarh
2. State of Chhattisgarh Through- District Magistrate, Dhamtari, District- Dhamtari, Chhattisgarh

---- Respondents

For Petitioner	:	Shri RS Patel, Advocate
For Respondent-State	:	Shri Sangharsh Pandey, Dy. GA for the State

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****04/05/2018**

1. Heard.
2. It appears that in CRR No.350/2018 by suspending the jail sentence, the Court has ordered for deposit of Rs.2 Lakhs as compensation part and directed that on payment of Rs.2 Lakhs and on furnishing a personal bond for a sum of Rs.25000/- the accused Kuleshwar Yadav, who is the proprietor of Yadav Krishi Kendra, shall be released on bail. Subsequently, the complainant herein has filed an application before the trial Court to withdraw the amount and the same having been dismissed, hence the present petition.

3. Perusal of the order dated 28.03.2018 in CRR No.350/2018 would show that the co-ordinate Bench of this Court ordered for deposition of money while releasing respondent No.1 on bail, therefore, the petitioner would be at liberty to move suitable application in CRR No.350/2018 before the appropriate Court. It would not be proper for this Court to pass an order for release of the amount in favour of the applicant by usurping the jurisdiction.
4. The petition has no merit it is accordingly dismissed with the aforesaid liberty.

Sd/-

Goutam Bhaduri

Judge

Ashu