

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR
Writ Appeal No. 554 of 2018

*{Arising out of order dated 13.12.2017 passed in Writ Petition (Cr) No. 556 of 2017 by
the learned Single Judge}*

Shubh Narayan Pathak S/o Late Shri Narsingh Pathak, aged about 60 years,
Occupation Service Presently working as Executive Engineer, PMGSY, R/o
Devnandan Nagar, Phase I, Sarkanda PS Sarkanda, Civil and Revenue District
Bilaspur, Chhattisgarh.

---- Appellant

Versus

1. State of Chhattisgarh, Through Anti Corruption Bureau, ACB Raipur, District
Raipur, Chhattisgarh.
2. Superintendent of Police, Anti Corruption Bureau, Raipur, Chattisgarh.
3. R.N.Singh Sengar, Inspector, Anti Corruption Bureau, Raipur, Chhattisgarh.

---- Respondents

For Appellant	: Shri Pramod Verma, Senior Advocate with Shri Sunil Sahu, Advocate.
For Respondent/State	: Shri UNS Deo, Government Advocate.

Hon'ble Shri Ajay Kumar Tripathi, Chief Justice
Hon'ble Shri Pritinker Diwaker, Judge

Order on Board

Per Ajay Kumar Tripathi, Chief Justice

17/07/2018

1. Since the writ appeal has been preferred against a criminal writ refusing to
quash the charge-sheet filed against the Appellant under the Prevention of

Corruption Act, 1988, taking into consideration the provisions of Section 2 of the Chhattisgarh High Court (Appeal to Division Bench) Act 2007 and the principles relating to such maintainability of appeal as well as the analogy which one can drawn from the decision of the Hon'ble Supreme Court in **Ram Kishan Fauji v. State of Haryana & Others**, reported in **(2017) 5 SCC 533**, this appeal is dismissed as not maintainable.

2. Dismissal of this appeal however will not come in the way of the Appellant invoking jurisdiction of the appropriate Court.

Sd/-
(Ajay Kumar Tripathi)
CHIEF JUSTICE

Sd/-
(Pritinker Diwaker)
JUDGE