

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Criminal Revision No. 787 of 2018**

Lav Kumar Mishra S/o Late Shri Goverdhan Prasad Mishra, aged about 65 years R/o Sukhsagar Parisar, G.E. Road, Rajnandgaon (C.G.), permanent R/o Village- Kharkhedu, Fatehpur (U.P.).

--- Applicant**Versus**

State of Chhattisgarh, Through : Station In-charge, Anti corruption Bureau, Raipur (C.G.).

---- Respondent

For Applicant	:	Mr. H.B. Agrawal, Senior Advocate along with Ms. Deepali Dubey, Advocate
For Respondent	:	Mr. N.K. Sharma, Dy. Govt. Advocate

Hon'ble Shri Justice Arvind Singh Chandel**Order on Board****21/08/2018**

1. Heard on admission.
2. This revision has been preferred against the order dated 05/05/2018, whereby the learned Special Judge (Prevention of Corruption) Act, Durg dismissed the application for temporary custody of Rin-pustika and salary account passbook of the applicant.
3. Learned Senior Advocate submits that the applicant is retired excise Officer. His salary account is with State Bank of India, Durg and another saving account is with Allahabad Bank, Rajnandgaon. After registration of the offence against the applicant, activation of both the accounts have been stopped by the Anti Corruption Bureau and both

the passbooks of the accounts have also been seized. Since the applicant is retired officer, therefore, for his livelihood, both the pass-books are essential for him.

4. Learned counsel for the State submits that both desired documents are subject matter of the offence and if the documents are handed over to the applicant, there would be irreparable loss caused to the prosecution. He further submits that looking to the circumstances, the learned trial Court has rightly rejected the application of the applicant.
5. Vide order dated 05/05/2018 while rejecting the Supurdnama application in para 10 of the said order, it was observed by the trial Court that the earlier documents exhibited are wrong and those documents are required to be exhibited afresh. The fresh exhibition is under process. During course of argument Shri Agrawal has shown some certified copies of the order-sheets of the trial Court, which reveals that the process of marking of exhibits is still pending.
6. In these circumstances, this revision is disposed of with a direction that the trial Court shall complete the said proceeding within 2 months from the date of receipt of the certified copy of this order. Liberty is also granted to the applicant to file afresh application for Supurdnama before the trial Court after marking of the exhibits which shall be decided by the said Court in accordance with law.

Sd/-
(Arvind Singh Chandel)
Judge