

HIGH COURT OF CHHATTISGARH AT BILASPURCRMP No. 2552 of 2018

Jayant Deshmukh S/o Late Ishwar Deshmukh, Aged About 33 Years,
R/o Quarter No. Lig-65, Padmanabpur, Durg, District Durg,
Chhattisgarh.

---Petitioner

Versus

1. State Of Chhattisgarh, Through The Superintendent Of Police, Durg, District Durg, Chhattisgarh.
2. The Officer Incharge, Police Station Pulgaon, District Durg Chhattisgarh.
3. Vinod Garg S/o Ram Garg, Aged About 50 Years, Managing Director, Raipur Power And Steel Limited, Plot No. 75, 76 Industrial Area Borai, Rasmada, Durg, District Durg, Chhattisgarh.
4. P. S. Singh S/o Late Markhande Singh, Aged About 45 Years, Contractor, Raipur Power And Steel Limited, Plot No. 75, 76 Industrial Area Borai, Rasmada, Durg, District Durg, Chhattisgarh.
5. Ramesh Kumar Sigla S/o Late Tej Ram Sigla, General Manager, Raipur Power And Steel Limited, Plot No. 75, 76 Industrial Area Borai, Rasmada, Durg, District Durg, Chhattisgarh.

---Respondents

For petitioner	:	Shri Malay Shrivastava, Advocate.
For State	:	Shri Chandresh Shrivastava, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

12/12/2018

1. Present CRMP has been filed seeking restoration of CRMP No. 219/2016 which got disposed off on 27/06/2016 on a peremptory order.
2. Present CRMP has been filed as late as on 01/12/2018 i.e. after about 2 ½ years from the date when in the earlier CRMP it was ordered for removal of its defaults.

3. 2 ½ years time for the petitioner to approach this Court seeking restoration of CRMP which got dismissed on a peremptory order is quite a long period.

4. Moreover, the CRMP earlier filed has not been decided on merits. It has been dismissed on account of technical reason of non-curing of the defaults.

5. Dismissal of the said CRMP by way of a peremptory order would not preclude the petitioner from challenging the F.I.R. by way of a fresh CRMP.

6. Accordingly, this Court is not inclined to entertain the instant CRMP and the same deserve to be and is accordingly rejected with the aforesaid liberty.

Sd/-

(P. Sam Koshy)
JUDGE

Sumit