

HIGH COURT OF CHHATTISGARH, BILASPURCr.M.P.No.315 of 2013

Smt.Veena Singh Wd/o Late Shri Naveen Singh, aged about -37 years, R/o Bhishma Aushadhalaya Evam Cancer Chikitsshalaya Raipura, Tahsil & Distt.-Raipur (CG)

--- Petitioner

Versus

1. State of Chhattisgarh, Through-the Station In-charge, Police Station-D.D. Nagar, Raipur (CG)
2. Vaidharaj Durga Singh S/o Late Shri Arjun Singh, aged about-42 years, R/o Shankar Mandir Chauk, Nayapara, Raipur, Police Station-Gol Bazar, Distt.-Raipur (CG)

--- Respondents

For Petitioner	:	Mr.V.R.Tiwari, Advocate
For Respondent No.1	:	Mr.Ravi Kumar Bhagat, Dy.G.A.
For Respondent No.2	:	Mr.Shantam Awasthi, Advocate

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

08/04/2019

1. Learned counsel for the petitioner submits that the petitioner has raised an objection before the Sub Divisional Magistrate (Nagar), Raipur that proceeding under Section 125 of the CrPC is not maintainable, that has not been considered and decided till this date, therefore, the petitioner may be allowed to raise a fresh objection and that may be directed to be decided by the Sub-Divisional Magistrate (Nagar), Raipur expeditiously.
2. Learned State Counsel and learned counsel for the private respondent submit that though proceeding under Section 145 of the CrPC is maintainable.
3. Be that as it may, the concerned Sub-Divisional Magistrate is directed to consider the petitioner's objection that whether

proceeding under Section 145 of the CrPC is maintainable or not, if raised by the petitioner, within two weeks from today and that will be decided within further six weeks and during this period, interim order dated 4.4.2013 shall remain in operation.

4. With the aforesaid observation, the CrMP stands disposed of.

Sd/-

(Sanjay K. Agrawal)
Judge

B/-