

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****CR.M.P. No. 93 of 2019**

Sunil Agrawal, S/o. Late Shri Laxmi Narayan Agrawal, Aged About 67 Years, 1/45 Old Motilal Nehru Nagar Bhilai, P.S. Supela, 490020, Tahsil and District- Durg, Chhattisgarh.

----Applicant**Versus**

1. State Of Chhattisgarh, Through : The District- Magistrate, Durg Tahsil and District- Durg, Chhattisgarh.
2. Anil Agrawal, S/o. Late L. N. Agrawal, Aged About 70 Years, R/o. 601/602, Sangeet Sarita Apartment, Infornt Of Breach Candy Hospital Bhulal Bhai Desai Road- Girgaon, Police Station - Tardeo Mumbai, 400026, Maharashtra.
3. Government Of Maharashtra Health Department Municipal Corporation Of Greater Mumbai Maharashtra, through : Sub - Registrar

---- Respondents

For Applicant	: Mr. V.G. Tamaskar, Advocate
For Respondent No.1	: Mrs. Smita Jha, P.L.
For Respondent No.2	: Mr. Jaideep Singh Yadav, Advocate

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****08/04/2019**

1. This petition under Section 482 read with Section 439 (2) of the Code of Criminal Procedure has been filed for cancellation of anticipatory bail granted to the respondent No.2 vide order dated 31.08.2018, passed in M.Cr.C.(A) No.293 of 2018.

2. It is submitted by the learned counsel for the petitioner that respondent No.2 has obtained anticipatory bail by this Court by making false submission and further the bail petition filed by him was not in accordance with the High Court of C.G. Rules, 2007 as each and every page of the bail petition M.Cr.C.(A) No.293/2018 was not signed and notarized by the respondent No.2, therefore, there was no reason to entertain and allow the application, therefore, the petition be allowed.
3. Counsel for the respondent No.1 makes formal objection.
4. Counsel for the respondent No.2 submits that the application was filed in accordance with the Rules, 2007 and it is denied that the respondent No.2 had made false submission to obtain relief from this Court. Therefore, it is prayed that the petition be dismissed.
5. I have heard the learned counsel for the parties and perused the case diary and the documents placed on record.
6. This Court has considered on the submissions made from both the sides in M.Cr.C.(A) No.293 of 2018, where the petitioner has appeared as objector and made his submission. After considering on merits, the order dated 31.08.2018 was passed and the application for anticipatory bail was allowed by this Court. The only ground urged by the petitioner side in this petition is this that the bail petition was not in accordance with the High Court of C.G. Rules, 2007.
7. On perusal of the Rule 120 of the High Court of C.G. Rules, 2007, I do not find that any error of that magnitude has been committed in filing the application for anticipatory bail so as to invalidate the order passed by this Court.

8. In a result, this petition is without any substance and it is dismissed accordingly.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Balram