

HIGH COURT OF CHHATTISGARH, BILASPUR**Cr.M.P. No. 439 of 2019**

Chandrabhan Chandravanshi, S/o Late Baldevram Chandravanshi, aged about 42 years, R/o Village-Kolihalamti, PS- Gaindatola, Rajnandgaon, District Rajnandgaon, (C.G.)

----Petitioner/accused

Versus

State of Chhattisgarh, through the District Magistrate, Rajnandgaon, District – Rajnandgaon (C.G.)

---- Respondent

For Petitioner	: Shri Shobhit Kosta, Advocate.
For Respondent/State	: Shri Chandresh Shrivastava, Dy. Advocate

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board**

16/04/2019

(1) After arguing for fairly long time, learned counsel appearing for the petitioner would submit that he may be permitted to withdraw this petition with a prayer that the trial Court be directed to expedite the trial.

(2) I have heard learned counsel appearing for the petitioner.

(3) The trial Court vide order dated 17.04.2018 while rejecting the bail application of the petitioner, assigned reasons that on account of recording of evidence and judgment writing, witness was released without examination. Such a course is not fair and is impermissible in law. Once the witness is present before the court for examination, it is the duty and responsibility of the trial Court to examine the said witness necessarily without fail. Thus, the said Court is directed not to commit such type of mistakes in future.

(3) Accordingly, the Cr.M.P. is dismissed as withdrawn. However, the trial Court is directed to expedite the trial.

(4) Copy of the order be sent to the concerned trial Court through the Registrar General.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-

