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HIGH COURT OF CHHATTISGARH, BILASPUR**CRMP No. 1020 of 2019**

Smt. Vidya Kodwani, aged about 75 years, Wd/o late Chetandas Kodwani, Resident of Katoratalab, Raipur, Police Station, Civil Line Raipur, District- Raipur C.G.

---- Petitioner**Versus**

1. State of Chhattisgarh, through the Collector, Raipur, District Raipur C.G.
2. Iqbal Singh Budhreja Son of late Chunnilal Budhreja, R/o House No. 9, New Panchsheel Nagar, Raipur, Police Station- Civil Line, Raipur, District- Raipur C.G.

---- Respondents

For Petitioner : Mr. C. R. Sahu, Advocate
For Respondent No. 1/State : Mr. Chandresh Shrivastava, Dy. A.G.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****26.04.2019**

1. The petitioner is an accused facing trial for offence under Section 138 of the Negotiable Instruments Act, 1881. By order dated 11/04/2018, the particulars of the accusations were explained to him under Section 251 of the Cr.P.C. by learned trial Magistrate, feeling aggrieved against that order, he preferred a revision before the revisional Court and the revisional Court affirmed that order against which instant CrMP under Section 482 of the Cr.P.C has been preferred.
2. Learned counsel for the petitioner would submit that no case for framing of the charges against her is made-out on the basis of material available on record, therefore, she deserves to be discharged from the aforesaid offence.

3. I have heard learned counsel for the parties and went through the record with utmost circumspection.
4. The trial Magistrate has clearly held that from the perusal of the record, there is material against petitioner for proceeding under Section 138 of the Negotiable Instruments Act, 1881 and thereafter explained the particulars of the accusations to the petitioner which has been found favour with by the revisional Court. Two Courts below have concurrently held that there is material against the petitioner to proceed for offence under Section 138 of Negotiable Instruments Act, 1881 which is neither perverse nor contrary to the record. I do not find any good ground to entertain this CrMP.
5. The concurrent finding recorded by both the Courts below is that there is sufficient material available for proceeding against the petitioner. Accordingly, this CrMP under Section 482 of CrPC deserves to be and is hereby dismissed, leaving the petitioner to raise all the pleas during the course of trial which will be considered and decided by Trial Magistrate strictly in accordance with law.

Sd/-

(Sanjay K. Agrawal)
Judge