

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No. 272 of 2013

Akash Singh, S/o. Goverdhan Singh Bargah, Aged About 19 Years, R/o. Pipersatti Akaltara, P.S. Akaltara, Distt. Janjgir-Champa, Chhattisgarh

---- **Petitioner**

Versus

State Of Chhattisgarh, Through – Station House Officer, Police Station-Simga, District Baloda Bazar- Bhatapara, Chhattisgarh

---- **Respondent**

For Petitioner : Mr. Arvind Shrivastava, Advocate

For Respondent : Mr. Ghanshyam Patel, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

19.02.2019

1. The information received from the Court below that the original case has been disposed of on 23.01.2017 out of which the present petition is emanated. The present petition is against framing of charge.
2. As per the information received from the Court below, the accused has absconded from 2017. After going through the documents filed along-with the charge sheet, this Court would follow the direction given in case of ***State of Rajasthan v. Fatehkaran Mehdu***, reported in ***AIR 2017 SC 796*** wherein it is stated that at the stage of framing of a charge, the Court is concerned not with the proof of the allegation rather it has to focus on the material and form an opinion whether there is strong suspicion that the accused has committed an offence, which if put to trial, could prove his guilt. The framing of charge is not a stage, at which stage final test of guilt is to be applied.
3. Applying the aforesaid principles in this case, the petition has no merit and accordingly it is dismissed.

Sd/-
(Goutam Bhaduri)
Judge