

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

CRMP No. 1271 of 2017

1. Malkit Singh Gaidu S/o Shri Mohender Singh Gaidu, Aged About 52 Years R/o Jagdalpur, District Bastar Chhattisgarh.
2. Sonu Bhadoriya, S/o Brijendra Singh Bhadoriya, Aged About 37 Years R/o Nayapara, Jagdalpur, District : Bastar(Jagdalpur), Chhattisgarh
3. Rajeev Sharma, S/o Late Shri Balkishan Sharma, Aged About 48 Years R/o Near Telephone Office, Motilal Nehru, Ward No. 15, Nayapara, Jagdalpur, District : Bastar Chhattisgarh
--- Petitioners

Versus

1. State of Chhattisgarh through Police Station Nagarnaar, District Jagdlapur / Bastar Chhattisgarh.
2. Shailendra Bhadoriya S/o M. S. Bhadoriya, Aged About 36 Years R/o R 988, Dharam Kashyap, Police Station Nagarnaar, District : Bastar(Jagdalpur), Chhattisgarh
--- Respondents

08.03.2019	Mr. Anish Tiwari, counsel for the petitioners. Mr. Chandresh Shrivastava, Dy. A.G., for the State. Mr. N.K. Vyas, counsel for respondent No.2. So far as it relates to Petitioner No.3, it is submitted that after conducting enquiry it was found that he was not present on the spot, therefore a closure report has been filed before the Court below. The trial Court may pass appropriate order on such application. In respect of petitioner no.2, learned counsel for respondent No.2 submits that the trial has commenced and the statement of complainant Shailendra Singh Bhadoriya and the statement of Srinivasa Rao have already been recorded. Learned counsel for petitioners submits that	

R a o	petitioner No.2 was not present on the spot. However, the document which is filed do not conclusively say so, therefore, it is for the trial Court to adjudicate the same. Since the trial has begun, petitioner no.2 shall be at liberty to put forth all the grounds before the trial Court. So far as petitioner no.3 is concerned, since it has been stated that the closure report has been filed, the trial Court may pass suitable order. With the above observation, this petition stands disposed of. Sd/- GOUTAM BHADURI JUDGE	
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