

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(CR.) No. 914 of 2019

1. Bhaskar Dutt, S/o. Khelkumar, Aged About 24 Years, R/o. Village Lofandi, Police Station-Koni, District- Bilaspur, Chhattisgarh.
2. Vyasnarayan Kashyap, S/o. Tejram, Aged About 27 Years, R/o. Village Siltara, Police Station- Takhatpur, District- Bilaspur, Chhattisgarh.
3. Chandrakshekhar Kaushik, S/o. Surendra Kumar, Aged About 30 Years, R/o. Devtara, Police Station- Takhatpur, District- Bilaspur, Chhattisgarh.

---- Petitioners

Versus

1. State Of Chhattisgarh, Through : The Station House Officer, Police Station, Chakarbhatta, District- Bilaspur, Chhattisgarh.
2. Girish Dubey, S/o. Shri Ashwani Dubey, R/o. Purana Sarkanda, Police Station- Sarkanda, District- Bilaspur, Chhattisgarh.

-----Respondents

For Petitioners	: Mr. Goutam Khetrapal, Advocate
For Respondent/State	: Mr. Devendra Pratap Singh, Dy.G.A.
For Respondent No.2	: Ms. Ansuiya Rajput, Advocate

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

25/09/2019

1. The present petition under Article 226 of the Constitution of India has been filed for quashment of Criminal proceeding in Criminal Case No.413/2019, pending before the Judicial Magistrate First Class, Bilha, District - Bilaspur.
2. It is submitted by the counsel for the petitioners that during the pendency of this petition, the petitioner and the complainant filed an application for compounding of offence before the trial Court, but the same application has been rejected by order dated 20.06.2019. Copy

of the same is filed along with the petition.

3. It is submitted that as there is no statement given by any of the witnesses that amount was given by any of the witnesses for issuance of Ayushman Card, therefore, in light of the aforesaid evidence, the trial Court may be directed to consider the application for compromise again.
4. State counsel opposes the petition and the submissions made in this respect.
5. Counsel appearing for the respondent No.2 has no objection, if any, such direction is issued.
6. I have heard the learned counsel for the parties and perused all the documents placed on record.
7. After considering on the submissions made by both the sides and considering on the nature of allegation i.e. in the FIR that the persons concerned, who were seeking issuance of Ayushman Card were intended to be cheated have given statements, hence for this reason I feel inclined to dispose of this petition with direction.
8. Accordingly, the petition is disposed off at motion stage. The order dated 20.06.2019 of the trial Court is set-aside and it is directed that the application for compromise of the petitioners with the complainant be considered afresh.

Sd/-
(Rajendra Chandra Singh Samant)
Judge