

HIGH COURT OF CHHATTISGARH, BILASPUR**Cr.M.P. No. 2421 of 2019**

1. Rajaram Dhuri, Aged about 56 years, S/o Shri Ramgulal, R/o Village Khaira, P.S. Seepat, District Bilaspur (C.G.)

2. Suryakant Kaiwartya, Aged about 38 years, S/o Ramakant, R/o Village Kotmi Sonar, P.S. Akaltara, Tahsil Akaltara, District Janjgir-Champa (C.G.)

----Petitioners**Versus**

State of Chhattisgarh, Through District Magistrate, Janjgir-Champa (C.G.)

----Respondent

For Petitioners : Mr. Vaibhav P. Shukla, Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****13/11/2019**

(1) The petitioner is facing criminal trial for the commission of offence under Section 409 of the Indian Penal Code and Sections 3 & 7 of the Essential Commodities Act, 1955. He filed an application under Section 239 of the Code of Criminal Procedure, 1908 for discharge whereas learned Magistrate has rejected the said application and framed charges against the petitioner. The petitioner preferred revision against the order rejecting application under Section 239 of the Cr.P.C. whereas he ought to have filed revision against the order framing charge.

(2) Be that as it may, the petitioner is at liberty to the question the order framing charge in accordance with law.

(3) With the aforesaid observations, the Cr.M.P. stands finally disposed of.

Sd/-

(Sanjay K. Agrawal)
Judge

