

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CRR No. 1374 of 2019

Rani Gupta W/o Raju Gupta Aged About 42 Years R/o Near Lodhi Para Chowk, Beside Raj Medical Store, Fruit Store, Police Station Pandri, District Raipur Chhattisgarh.

---- Applicant

Versus

1. State Of Chhattisgarh Through The Station House Officer, Police Station Telibandha, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. Atishay Jain S/o Anil Kumar Jain Aged About 23 Years R/o Kali Nagar, Mata Garage Mova, Police Station Pandari District Raipur Chhattisgarh. Permanent R/o Gatatar Kheda, Police Station Damoh, Dehat, District Damoh Madhya Pradesh., District : Damoh, Madhya Pradesh

---- Respondents

For Applicant	: Mr. Atanu Ghosh, Advocate
For Respondent/State	: Mr. Adil Minhaj, G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

13-11-2019

1. This revision petition has been brought being aggrieved by the orders framing charges by the trial Court in which it has framed charge against respondent No.2 – Atishay Jain under Section 306 of the Indian Penal Code.
2. It is submitted by counsel for the applicant that there is substance in the charge-sheet itself, on the basis of which, the charge under Section 302 of the IPC could have been framed, therefore, this petition has been brought.
3. Learned counsel appearing for respondent No.1/ State opposes the submission so made.
4. As it appears that the applicant is mother of the deceased and she has also filed an application before the trial Court to assist the prosecution,

the additional alteration of charge can be made by the trial Court itself under Section 226 of the Cr.P.C. and this option is available with the applicant to let filing of such application while assisting the prosecution in the case concerned, therefore, this revision petition is disposed of at the motion stage.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Nimmi