

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (Cr.) No. 1174 of 2019**

Mohammad Nasim, S/o. Md. Samim, aged about -27 years, “registered owner of the vehicle” R/o. Bajiraopara, Maudahapara, Out Post Jutemill, and P/s. City Kotwali, Tahsil and District – Raigarh (C.G.)

----Petitioner.

Versus

1. State of Chhattisgarh, Through – The Collector, Raigarh, Tahsil and District – Raigarh (C.G.)
2. The Superintendent of Police, Raigarh, Tahsil and District – Raigarh (C.G.)
3. The Station House Officer of the Police Station – Chakradhar Nagar, Raigarh, Tahsil and District Raigarh (C.G.)

----Respondents

For Petitioner	: Mr. Abhishek Saraf, Advocate.
For Respondents/ State	: Mr. H.S. Ahluwalia, Deputy Advocate General.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board**

27/11/2019

(1) The petitioner's application for grant of interim custody has been rejected by the Collector on 14-10-2009, against which this petition under Section 482 of the Cr.P.C. has been preferred.

(2) Learned counsel appearing for the petitioner would submit that the petitioner's case has not been considered in accordance with law; and the decision of this Court in the case of **Hajari Kachwaha Vs. State of Chhattisgarh**¹ has not been taken into consideration while deciding the application for grant of interim custody filed by the

petitioner.

(3) I have heard learned counsel appearing for the petitioner.

(4) Be that as it may, the petitioner is at liberty to file fresh application before the Collector, Raigarh and in that event the Collector, Raigahr shall consider and decide the application for interim custody filed by the petitioner in light of decision rendered by this Court in the matter of **Hajari Kachwaha** (supra).

(5) With the aforesaid observations, the writ petition (Cr.) stands finally disposed of.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-

