

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No. 4 of 2019

Trilochan Patel, S/o. Sonadhar Patel, Aged About 55 Years, Caste Aghariya, R/o. Darripali, Police Chowki Singhora, Police Station & Tahsil Saraipali, District Mahasamund, Chhattisgarh.

---- Petitioner

Versus

State Of Chhattisgarh, Through Station House Officer, Police Station Baramkela, Tahsil Sarangarh, District Raigarh, Chhattisgarh.

---- Respondent

For Petitioner : Mr. R.S.Patel, Advocate

For Respondent : Mr. Vaibhav A. Goverdhan, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

07.01.2019

Heard

1. The present petition under Section 482 of Cr.P.C. is filed by one Trilochan Patel. It is alleged that in Criminal Case No.17/2016 the alleged vehicle was involved for which the petitioner claims his entitlement.
2. Perusal of the order dated 11.12.2017 passed by the Additional Sessions Judge, Sarangarh in Sessions Trial No.10/2016 would show that in para 121 of the order, it has been observed that the orders in respect of the seized vehicle shall be passed when the absconding accused namely Narayan Bariha is tried.
3. During the course of argument, it is stated that the other co-accused who has been convicted has preferred an appeal, therefore, the petitioner, if so advised, may file necessary application before the appellate Court against which the appeal

has been preferred by the other co-accused. It would not be proper for this Court to hijack the issue and facts of appeal while adjudicating the petition under Section 482 of Cr.P.C. and pass the order on merit, which may be in conflict with any observation of appellate Court.

4. With such observation, the petition stands disposed of.

Sd/-
(Goutam Bhaduri)
Judge

Ashok