

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

I.A.No.1 of 2019
in/ and
CRIMINAL PETITION No.266 OF 2019

ORDER:

I.A.No.1 of 2019 is filed seeking extension to time for filing the charge sheet.

The Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973, is filed by the petitioner/State to quash the docket order passed by the Judicial Magistrate of First Class, Bhainsa in CFR No.2826 of 2018 in Crime No.83 of 2009 of Basar Police Station, dated 15.10.2018.

Heard the learned Additional Public Prosecutor for the petitioner/State and perused the record.

There is no representation on behalf of the respondent/accused.

It is submitted that though the charge sheet is filed within the period of limitation, the Court below returned the same.

In view of these circumstances, the Court below has to receive the charge sheet and then find out whether the subject charge sheet is filed within the statutory period of limitation or not. If it is not filed within the statutory period of limitation, the Court has to pass a judicial order narrating the circumstances for not accepting the charge sheet.

Hence, 15 days time is granted for representation of the charge sheet from the date of this order.

Registry is directed to return the original charge sheet on proper acknowledgement.

I.A.No.1 of 2019 is ordered and the Criminal Petition is disposed of accordingly.

Miscellaneous Petitions, if any, pending in this Criminal Petition shall stand closed.

Date: 08.03.2019
ssp

Dr. SHAMEEM AKTHER, J

