

NAFR

HIGH COURT OF CHHATTISGARH, BILASPURCRMP No. 394 of 2020

- Anil Kumar Sharma son of Shri Chhajhu Ram Sharma, aged about 49 years, R/o. New Gayatri Nagar, Qt. No. 21 Bangla, Infront of Chhattisgarh Housing Board Colony, Akash Nagar, Police Station : Civil Line, Tahsil and Distt. Raipur, C.G. (Accused)

---- Petitioner

Versus

- State Of Chhattisgarh Through Police Station Khamtarai, Tahsil and Distt. Raipur, Chhattisgarh.

---- Respondent


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| For Petitioner        | : | Mr. Pushpendra Kumar Patel, Advocate |
| For State/ Respondent | : | Mr. Akash Pandey, Panel Lawyer       |

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Hon'ble Shri Justice Sanjay K. AgrawalOrder on Board10/02/2020

1. The present petition has been directed against the impugned order dated 22/01/2020 passed by learned 12<sup>th</sup> Additional Sessions Judge, Raipur by which learned revisional Court has declined to interfere with the order dated 10/10/2018 passed by learned Judicial Magistrate First Class, Raipur in criminal case No. 13755/2016 of framing charge under Section 420 of the Indian Penal Code (henceforth 'IPC') against the petitioner.

2. Learned counsel for the petitioner submits that

both the Courts below have committed legal error in holding that there is a prima facie case against the petitioner for framing charges of offence under Section 420 of the IPC.

3. I have heard learned counsel for the petitioner, considered his submission made hereinabove and went through the record with utmost circumspection.

4. The trial Court after appreciating the material available on record held that there is a prima facie case for framing charges against the petitioner under Section 420 of the IPC and accordingly framed charges which the learned revisional Court has also affirmed. The order framing charges against the petitioner duly affirmed by the revisional Court is neither perverse not contrary to the record, as such, I do not consider it a fit case for invoking interference under Section 482 of the Code of Criminal Procedure (henceforth 'Cr.P.C.').

5. Accordingly, the present petition filed under Section 482 of the Cr.P.C. stands disposed off. However, the petitioner is at liberty to raise all the points during the course of trial.

Sd/-

**(Sanjay K. Agrawal)**  
Judge