

HIGH COURT OF CHHATTISGARH, BILASPUR

Cr.R. No.264 of 2020

- Roopchand Chandra S/o Shri Keshav Prasad Chandra Aged About 30 Years R/o Village Shikarinar, Post Koterara, Police Station And Tahsil Jaijaipur, Civil And Revenue District Janjgir-Champa, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Acting Through Officer-In-charge Police Station - Jaijaipur, Civil And Revenue District Janjgir Champa, Chhattisgarh

---- Non-applicant

For Applicant	: Mr. Ramesh Nayak, Advocate.
For Non-applicant	: Mr. Roshan Dubey, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

25-02-2020

Heard.

1. This petition has been brought being aggrieved by the order dated 23.01.2020 by which the trial Court has dismissed the application filed by the applicant under Section 91 of Cr.P.C.
2. It is submitted by the learned counsel for the applicant that the applicant had by filing application under Section 91 of Cr.P.C. prayed, that on the basis of one complaint made by the family member of the petitioners, separate Crime No.205/2019 for commission of offences under Sections 294, 323, 506 and 34 of I.P.C. have been registered in which investigation has been made, therefore, copies of the investigation documents in the same Crime No. be provided to the applicant and till then the recording of evidence be stayed. The learned trial Court has

without appreciating the facts and circumstances of this case has dismissed the application.

3. It is further submitted that earlier the charge-sheet in Crime No.205/2019 was not filed, but now it is filed and the application for certified copy has also been filed before the Court which is pending.
4. Learned counsel for the State opposes the application filed by the applicant.
5. Heard learned counsel for both the parties and also perused the documents present.
6. As the situation is at present, that the copies of the documents from the record of the Crime No.205/2019 which had been sought by the applicants can be now obtained by the applicant side on the basis of copying application, if they have so entitlement. Therefore, this petition is disposed off at motion stage and liberty is granted to the applicant side to obtain certified copy of the documents from the record present in the Court regarding the charge-sheet filed in Crime No.205/2019 and the learned trial Court is also directed to permit the applicant to produce the documents, certified copies from the Crime No.205/2019 which the applicant claim, is a counter case, for the purpose of their defence.
7. Accordingly, the petition stands disposed off.

Certified copy today.

Sd/-
(Rajendra Chandra Singh Samant)
Judge