

HIGH COURT OF CHHATTISGARH, BILASPUR**CRMP No. 66 of 2021**

- Smt. Seema Agrawal D/o Vishnu Prasad Agrawal Aged About 43 Years
R/o Dabhra Road, Kharsia, District Raigarh, Chhattisgarh ---- **Petitioner**

Versus

1. State of Chhattisgarh Through Incharge Of Police Station Chowki Police,
Kharsia, District Raigarh, Chhattisgarh
2. Smt. Rekha Agrawal D/o Amilal Agrawal W/o Ramesh Agrawal Aged
About 56 Years R/o Dabhra Road, Kharsia, Infront Of Bhagat Talab,
District Raigarh Chhattisgarh
3. Sudheer Agrawal S/o Late Ramesh Agrawal Aged About 30 Years R/o
Dabhra Road, Kharsia, Infront Of Bhagat Talab, District Raigarh
Chhattisgarh ---- **Respondents**

For petitioner	:	Mr. Manoj Paranjpe, Advocate.
For State	:	Mr. Devendra Pratap Singh, Dy. A.G.

Hon'ble Shri Justice Narendra Kumar Vyas**Order on Board****09-08-2021**

1. Learned counsel for the petitioner would submit that the complaint filed by the petitioner under Section 200 of Cr.P.C., is pending before the Judicial Magistrate First Class, Kharsia since 23-8-2017. The other facts projected by the petitioner are that the petitioner has filed an application under Section 156(3) of Cr.P.C., as well as complaint under Section 200 of Cr.P.C., before the learned Judicial Magistrate First Class, Kharsia and learned Judicial Magistrate First Class, Kharsia vide order dated 5-2-2019 rejected both the complaints. Thereafter, the petitioner has preferred revision petition before the learned Sessions

Judge, Raigarh on 19-02-2019. Learned Sessions Judge, Raigarh vide order dated 11-3-2019 passed in Criminal Revision No. 18 of 2019 has partly allowed the revision petition holding that the complaint filed under Section 200 of Cr.P.C., cannot be rejected without affording an opportunity to the petitioner to adduce the evidence and remitted back the matter to the Judicial Magistrate First Class, to adduce the evidence. Thereafter, the petitioner has filed the complaint under Section 156(3) of Cr.P.C. which was also dismissed by the trial Court, therefore, the petitioner has filed revision petition before the First Additional Sessions Judge Raigarh, District Raigarh and learned First Additional Sessions Judge, Raigarh vide its order dated 17-12-2020 passed in Criminal Revision No. 3 of 2000 dismissed the revision petition. Both the orders have been assailed by the petitioner before this court by filing the present petition.

2. Learned counsel for the petitioner would submit that the petitioner may be granted liberty to prosecute the complaint filed under Section 200 of the Cr.P.C., which is pending before the Judicial Magistrate First Class, Kharsia since 23-8-2017 and he would further submit that the learned Judicial Magistrate First Class, Kharsia, be directed to expedite the proceedings. The prayer appears to be just and proper.
3. Accordingly, it is directed that the Judicial Magistrate First Class, Kharsia, shall make endeavour to decide the complaint filed by the petitioner under Section 200 of the Cr.P.C., which has been

pending since 23-8-2017, within outer limit of 1 year and six months from the date of receipt of a copy of this order.

4. With the aforesaid observations and direction, the instant petition is disposed of.

Sd/-

(Narendra Kumar Vyas)

Judge

Raju