

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No. 68 of 2021

1. Pappu Farishta S/o Late Shri Gulam Ali Farishta, Aged About 58 Years, R/o Indrawati Colony, Police Station Civil Lines, Raipur, District- Raipur (C.G.).

----Applicant

Versus

1. State Of Chhattisgarh Through The Station House Officer, Police Station Civil Lines, Raipur, District- Raipur (C.G.).
2. Sharukh Quereshi S/o Shri Mohammad Hanif Quereshi, Aged About 27 Years, R/o Nayapara, Dabri, Tehsil And District Raipur (C.G.).

---- Non-Aplicants/Respondents

For Applicant : Mr. Rajat Agrawal, Advocate.
For Respondents/State: Dr. (Ms.) Veena Nair, Dy. Advocate General.

Hon'ble Justice Shri Gautam Chourdiya
Judgment On Board

28/01/2021

- 1) Heard on admission.
- 2) The applicant has filed the instant CRMP under Section 439(2) read with Section 482 of the Code of Criminal Procedure, 1973 for setting aside the order dated 26/12/2020 passed by 3rd Additional Sessions Judge, Raipur in Bail Application No. 2068/2020 granting bail to respondent No. 2 Sharukh Quereshi who was arrested on 02/10/2020 in connection with crime No. 380/2020 registered at Police Station Civil Lines, Raipur, District Raipur for the offence punishable under Section 381 of Indian Penal Code.
- 3) From the perusal of the impugned order it is seen that the learned Additional Sessions Judge considering the facts and

circumstances of the case, the fact that charge sheet has already been filed, the accused is in jail since 02/10/2020, the offence alleged is triable by Judicial Magistrate First Class, there is no likelihood of his absconding and further keeping in view the rapid increase of COVID-19 cases, granted the bail to the accused by imposing certain conditions. This Court finds no good reason to entertain the present application filed by the applicant for setting aside the impugned order. Accordingly, the CRMP being without any substance is liable to be dismissed and is **dismissed** as such at the admission stage itself.

**-Sd/-
(Gautam Chourdiya)
Judge**

Chandrakant