

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Proceedings through Video Conferencing****CR.R. No. 686 of 2015**

Sudhir Singh @ Sudhir Kumar Singh, S/o. Late M.N. Singh, aged about 57 years, Deputy Director Office of Regional Chief Directorate, Geology and Mining, Regional Office, Raipur,

Presenting R/o. Shankar Nagar, Raipur, H. No. 27/249,

Permanent R/o. Dalli Rajhara (near post office), CG

---- Applicant**Versus**

State of Chhattisgarh through Anti Corruption Bureau
Raipur, Raipur (CG)

----Non-applicant

For applicant : Mr. Maneesh Sharma, Adv.
For respondent : Mr. Afroz Khan, PL.

Hon'ble Shri Justice N.K. Chandravanshi
Order on Board

27-8-2021

1. This criminal revision has been preferred by the applicant against the order dated 27-7-2015 passed by the learned Special Judge (Prevention of Corruption Act) and 1st Addl. Sessions Judge, Raipur (CG) in Special case No. 504/2015 (State of CG -v- Sudhir Singh alias Sudhir Kumar Singh) whereby an application filed by the applicant under Section 207 of the Criminal Procedure Code, 1973 (in short 'Cr.P.C.') has been dismissed.

2. Learned counsel for the applicant submits that charge sheet under the provisions of Prevention of Corruption Act, 1988 (in short 'the Act') was filed along with documents and CD of conversation between the complainant and applicant/accused regarding demand of bribe, before and during trap, inscription was also prepared and filed along with the charge sheet. Copy of CD has been provided by the prosecution to the applicant/accused but, it is blank, because of which, the applicant will face difficulty in his defence. Therefore, it is prayed that copy of CD regarding

recording of conversation of demand of bribe before and after trap, be supplied to the applicant.

3. On the other hand, learned counsel appearing for the State submits that the Special Judge has rightly rejected the application and the impugned order does not call for any interference by this Court in exercise of revisional jurisdiction.

4. I have heard learned counsel for the parties and perused the material available on record as also the impugned order.

5. A perusal of the impugned order would reflect that the application was dismissed by learned trial Court on the ground that the application for same purpose was filed earlier, which was dismissed on merit vide order dated 18-6-2015 and since then, there is no change in the circumstances of the case.

6. A perusal of the record of the lower court, which has been called by the High Court, shows that on 18-6-2015, the application for same prayer was dismissed by learned trial Court, observing that inscription of CD was given to the applicant, from which, he can make his defence, therefore, copy of CD is not required to be given to him.

7. Having regard to the facts of the case and considering the fact that the case is still at the stage of prosecution evidence, no prejudice will be caused to either party, if copy of recorded CD is given to the applicant/accused.

8. Accordingly, it is directed that prosecution shall prepare one more copy of CD after getting the CD from the Court and will supply the copy of CD to the applicant, within 15 days from date of receiving certified copy of this order. The trial Court is also directed to comply with the order.

9. The revision is allowed.

**Sd/-
N.K. Chandravanshi
Judge**