

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WP227 No. 359 of 2021

- Mukesh Kumar Chouksey S/o Late Ramdayal Chouksey, Aged About 56 Years, Resident of Near Jalaram Mandir Tikrapara, Bilaspur, Tehsil and District Bilaspur (Chhattisgarh), District : Bilaspur, Chhattisgarh

---- Petitioner

Versus

1. Raghuvar Dayal Singhal S/o Late Shiv Dayal Singhal, Aged About 72 Years, Resident of Panchvati Hotel Near Rasoi Inn Hotel, Tarbahar Bilaspur, Tehsil and District Bilaspur Police Thana, Tarbahar, Bilaspur (Chhattisgarh), District : Bilaspur, Chhattisgarh
2. Gopal Singhal S/o Late Raghudayal Singhal, Aged About 37 Years, Resident of Panchvati Hotel, Near Rasoi Inn Hotel, Tarbahar, Bilaspur, Tehsil and District Bilaspur, Police Thana, Tarbahar, Bilaspur (Chhattisgarh)
3. Santosh Sahu R/o C/o Dev Pratap Singh, Subhash Nagar Gondpara, Bilaspur, Tehsil and District Bilaspur Police Thana, City Kotwali, Bilaspur (Chhattisgarh)
4. Dev Pratap Singh S/o Gulab Singh R/o Subhash Nagar Gondpara, Bilaspur, Tehsil and District Bilaspur, Police Thana, City Kotwali, Bilaspur (Chhattisgarh)

----Respondents

For Petitioner – Shri Arijit Tiwari, Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

03-08-2021

1. This petition has been brought being aggrieved by the order dated 15-07-2021 passed by the Sessions Judge Bilaspur in Criminal Revision No.81/2021 by dismissing the revision petition filed by the petitioner against the order dated 03-04-2021 passed by the trial Court by which the opportunity of producing evidence by the petitioner/plaintiff was closed and the case was fixed for examination of the accused persons.
2. In the submission made, counsel for the petitioner has mentioned that the complaint case has been dismissed on 26-07-2021 under Section 256(1) of the Cr.P.C.
3. On perusal of copy of the order sheet dated 26-07-2021 of the complaint

case, it is found that the complaint case has been dismissed and the respondents have been acquitted of the charges against them. As that order dated 26-07-2021 is an order of acquittal, therefore, it is appealable order. The order under challenge in this petition is interim order, subsequent to which, after dismissal of the complaint case the petitioner now has remedy to appeal against the order of dismissal of the complaint and acquittal of the respondents under Section 378(4) of the Cr.P.C. and the grounds raised in this petition can be raised in the appeal filed. Hence, for this reason present petition is disposed off.

Sd/-

(Rajendra Chandra Singh Samant)
Judge