

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**CRMP No. 48 of 2021**

- Amar Singh Sahu S/o Late Avadh Ram Sahu Aged About 61 Years (Age And Cause Titled In Mentioned In The Impugned Order), R/o Q.No. 6A, Road 14, Sector 05, Bhilai Nagar, Thana Bhilai Nagar, District Durg, Chhattisgarh.

---- Applicant

Versus

1. Smt. Preety Kalihari W/o Abhishek Hirwani Aged About 30 Years Resident Of Ward No. 8, 168-A1, M.A. Type, Township Dallirajhara, District Balod, Chhattisgarh.
2. State Of Chhattisgarh Through Station House Officer, Police Station Rajhara, District Balod, Chhattisgarh.

---- Respondents

For Applicant :- Mr.Avinash Chand Sahu, Adv.
 For State/Respondent :- Mr. Ravi Bhagat, Dy. G.A.

Hon'ble Shri Justice Sanjay K. Agrawal
Order on Board

21/01/2021

1. The present petition is directed against the order dated 14.02.2020 passed by the Revisional Court.
2. The learned Revisional Court has remanded the matter to the learned trial Magistrate for considering the application for interim

custody filed by respondent No.1 afresh after hearing the parties.

3. I have heard learned counsel for the parties and perused the records.

4. In the considered opinion of this Court, the learned Revisional Court has rightly remanded the matter to the learned trial Magistrate with direction that after hearing the person who has claimed the custody and the objector i.e. applicant herein also. They have also given liberty to file proof of their ownership and thereafter decide the application for interim custody in which, I do not find any illegality warranting interference. However, applicant is at liberty to raise all the grounds and to file documents in support of claim of the articles. The concerned trial Magistrate is directed to decide the matter strictly in accordance with law.

5. With the aforesaid direction/observation the instant CRMP stands disposed of.

Sd/-
(Sanjay K. Agrawal)
Judge