

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR
Proceedings through Video Conferencing

CRR No. 1205 of 2019

Dr. Ashish Vishwas @ Ranjeet Vishwas, S/o Shri Supdo Vishwas, aged about 30 years, R/o Village - Udaipur, Police Station - Kapu, Tahsil - Dharamjaigarh, and District - Raigarh CG

Applicant

Versus

State of Chhattisgarh through S.H.O. of the Police Station Kapu, Tahsil - Dharamjaigarh, and District - Raigarh CG

Non-applicant

 For applicant : Shri Abhishek Saraf, Adv.

For non-applicant : Sushri Seema Dixit, Panel Lawyer.

Hon'ble Shri Justice N.K. Chandravanshi

Order on Board

11-8-2021

1. During the course of argument, learned counsel for the applicant submits that the applicant belongs to caste - Namasudra which comes under the category of scheduled caste. In this regard, he refers caste certificate dated 31-10-2017 issued by the Sub Divisional Officer, Krishnagar (not clear) Nadia (Sadar) Sub-Division, Distt. Nadia, West Bengal. Therefore, provisions of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 will not attract in this case, and the charges framed under this Act against the applicant are bad in law.

2. Per contra, learned counsel for the State submits that the applicant did not produce said caste certificate before the police and if it is not a part of charge sheet, then it cannot be considered in this revision petition.

3. In view of above, learned counsel for the applicant seeks permission to withdraw this revision petition with liberty that he

may raise his defence regarding his caste before the trial Court at the time of his defence.

4. As prayed by learned counsel for the applicant, this criminal revision is dismissed as withdrawn with the liberty as prayed for.

Certified copy as per rules.

Sd/-

(NK Chandravanshi)
Judge

Pathak/-