

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

CRMP No. 1034 of 2023

Satish Dubey S/o Lt. Jagdish Prasad Dubey Aged About 40 Years R/o Village Manpur, Thana Manpur, Tehsil Manpur, District Rajnandgaon (Now Mohala-Manpur-Ambagarh Chowki) (C.G.)

---- Petitioner

Versus

1. Raju Markam S/o Mahar Singh Markam Aged About 23 Years Village Khursekala, Thana Madanwada, Tehsil Manpur District Rajganjgaon (Now Mohala Manpur Ambagarh Chowki) (C.G.)
2. State Of Chhattisgarh Through District Magistrate District Rajnandgaon (C.G.)

---- Respondents

12.05.2023	Mr. Rajeev Shrivastava, Sr. Advocate with Mr. Akhand Pratap Singh, counsel for petitioner. Mr. Chitendra Singh, P.L. for State-respondent No.2. Heard. Issue notice to respondents. Learned State counsel accepts notice on behalf of respondent No.2, hence, process fee is not required to be paid for respondent No.2. He prays for and is granted three weeks time to file reply. On payment of process fee, issue notice to respondent No.1 as per rules making it returnable within four weeks. Also heard on I.A. No.1, which is an application for

grant of interim relief.

Learned senior counsel appearing on behalf of petitioner would submit that for same incident report was lodged based upon which FIR was registered, final report was submitted and after conclusion of trial, petitioner was acquitted from the charges. He also contended that after lodging of report with concerned police station, respondent No.1 also filed a compliant case under Section 200 of Cr.P.C. Report was though called by Magistrate but from police station within whose jurisdiction incident has not taken place and now the case is fixed for recording of complainant's witnesses. He submits that looking to the pendency of complaint case since 2016, learned trial Court is going to conclude the trial shortly and therefore, interim protection be granted.

Considering the submission of learned counsel for petitioner, purely as an interim measure, it is directed that the proceeding of Special Case No.11 of 2017, pending before the Court of Special Judge (Atrocity), Rajnandgaon, District - Rajnandgaon may go on but final order shall not be passed, till the next date of hearing.

List this case in the week commencing 26th of June, 2023.

Sd/-
(Parth Prateem Sahu)
Judge

Balram