

Ramdas Vs. Sukche

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Court : Madhya Pradesh

Decided On : Mar-20-2013

Appellant : Ramdas

Respondent : Sukche

Advocate for Pet/Ap. : Shri. Ajay Kumar Jain

Judgement :

Mcr.C.No.3387 o

20. 03.13 Shri Ajay Kumar Jain, counsel for the applicants.

Shri Pramod Chourasia, PL for respondent No.2/ state.

The applicants have filed this petition under section 482 of the Cr.P.C being aggrieved by the order dated 17.7.12 passed by JMFC Garhakota, district Sagar in a private complaint filed by the respondent bearing criminal case No.222/12 whereby the cognizance for the offence of section 323 read with section 34 of the IPC was taken against each of the applicants.

Initially, after taking me through the papers placed on the record applicants counsel argued the case at length for quashment of the impugned order taking cognizance against the applicants for the above mentioned offence.

His main arguments was that such order has been passed by the trial court without extending any opportunity of hearing to the applicants.

On asking the counsel that under what provision of law such court was bound to hear the applicants before taking any cognizance against them , on which, instead to argue further he seeks permission to withdraw this petition with liberty to raise all objections and grounds taken in this petition at the appropriate stage of the trial of the impugned case in defense of the applicants.

Considering such prayer, the petition is hereby dismissed as withdrawn and not pressed with liberty aforesaid.

(U.C.Maheshwari) Judge MKL

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