

HIGH COURT OF MADHYA PRADESH : BENCH AT INDORE**WP No.13918/2020**

(Nitin Singh Bhati Vs. Union of India)

INDORE dt. 23-09-2020

The petitioner before this court a practicing advocate has filed this present petition by way of Public Interest Litigation.

The contention of the petitioner is that a criminal case was registered against certain persons in the township of Indore i.e. Crime No. 23 of 2020 for offences u/s 132(1) (s) of GST Act, 2017 read with 409, 467, 471 and 120-B of IPC. Five persons were granted regular bail by order dated 27-07-2020 and 13-08-2020.

The petitioner's grievance is that in respect of one of the co-accused, namely, Sanjay Matta as charge sheet was not filed within time an application was preferred u/s 167 (2) of Cr.PC and the same has been allowed by the trial court vide order dated 03-09-2020. The petitioner's contention is that grant of bail to one of the co-accused as investigation was not completed is against public interest and the Investigating Agency should have completed the investigation, within time.

In the considered opinion of this court the present petition is certainly not at all the Public Interest Litigation. If the investigating agency was not able to conclude the investigation within time there can be a number of reasons for the same. No element of Public Interest is involved in the matter. The Code of Criminal Procedure is a complete code in itself and it provides for safeguards in respect of detention and it also provides for

procedure in respect of investigation.

This court does not find any reason to interfere in the matter specially in a public interest litigation in respect of non filing of charge sheet, within time.

No case for interference is made out in the matter.

The admission is declined.

Certified copy as per rules.

(S. C. SHARMA)
J U D G E

(SHAILENDRA SHUKLA)
J U D G E

Rashmi

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Prashant
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