

HIGH COURT OF CHHATTISGARH, BILASPUR

WPCR No. 97 of 2014

1. Suman Das Burman S/o Late Shri J. Das Burman Aged About 41 Years Service In Apical Exim Private Ltd, R/o 224-A, A.J.C. Bose Road, Kolkata 700017 (WB)

---- Petitioner

Versus

1. State Of Chhattisgarh, Through Secretary, Department Of Home, Mantralaya Bhawan, Naya Raipur, Ps Naya Raipur, Dist Raipur, Cg
2. Superintendent Of Police Raipur, Distt Raipur, Cg
3. Town Superintendent Of Police Urla, Distt Raipur, Cg
4. Officer In Charge Special Crime Investigation Cell, District Police, Raipur, Dist Raipur, Cg
5. G.M.S.V.K. Rao Deputy Manager, Godavari Power And Ispat Ltd, Siltara, Raipur, Dist Raipur, Cg

---- Respondent

And

WPCR No. 99 Of 2014

1. Manoj Choudhary S/o Shri Tilchand Choudhary Aged About 45 Years By Occupation Liaison Work/business, Through Steelium Exports, 45-40-36/3, Akkayyapalem Main Road, Visakhapatnam- 530016 (A.P.)

---- Petitioner

Vs

1. State Of Chhattisgarh Through Secretary, Department Of Home, Mantralaya Bhawan, Naya Raipur, PS Naya Raipur, Distt Raipur, Cg
2. Superintendent Of Police Raipur, Dist Raipur, Cg
3. Town Superintendent Of Police Urala, Distt Raipur, Cg
4. Officer In Charge Special Crime Investigation Cell, District Police Raipur, Dist Raipur, Cg

5. G.M.S.V.K. Rao Deputy Manager, Godavari Power And Ispat Ltd,
Siltara, Raipur, Dist Raipur, Cg

---- Respondent

For Petitioners	Shri Ashok Swarnakar, Advocate
For Respondent/State	Shri Adiraj Surana, Dy. Govt. Advocate
For Respondent No.5	Shri Ankit Singhal, Advocate

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

07/12/2015

1. These writ petitions have been preferred by two agents/brokers/contact persons through whom the respondent No.5 has received steel scrap from a company based at London (United Kingdom). They are aggrieved by the notice issued by the Special Crime and Investigation Cell, Raipur, directing them to appear before the said authority for enquiry/investigation of a complaint lodged by the respondent No.5.
2. Learned counsel for the petitioners would submit that the petitioners have already appeared before the respondent No.4, however, another notice has been issued to them by the respondent No.3 on 17-2-2014, therefore, it is writ large that different police authorities of Raipur are harassing the petitioners on the pretext of investigating a complaint lodged by the respondent No.5. It is also argued that no offence has yet been registered, yet the petitioners are being summoned for investigation.

3. Learned counsel for the State would submit that since the petitioners have already appeared before the respondent No.4 and as per the submission made by the learned counsel for the petitioners they are willing to cooperate in the investigation, this Court may dispose of both the writ petitions by directing the Superintendent of Police, Raipur, to entrust the matter to a particular police officer/police station for further investigation. Learned counsel for the State would further submit that writ petition preferred against the show cause notice in the form of directing the petitioners to appear during enquiry/investigation of a complaint, is not maintainable.
4. Be that as it may, in view of the submission made by the learned counsel for the petitioners and the learned counsel for the State, both the writ petitions are disposed of with a direction to the respondent No.2 to entrust the investigation to any particular police station/police officer so that the petitioners are not required to attend each and every police station on the dictates of different police officers.
5. Let the needful be done by the Superintendent of Police, Raipur, within a period of two months from today.

Sd/-

Judge

Prashant Kumar Mishra

Gowri