

HIGH COURT OF CHHATTISGARH, BILASPUR

WPCR No. 154 of 2015

Manoj Kedia S/o Shri Arjun Kedia Aged About 37 years R/o Risda Road, Tahsil Balodabazar-Bhatapara, (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, General Administration Department, Mahanadi Bhawan, New Raipur, (Chhattisgarh)
2. The Superintendent Of Police, Balodabazar-Bhatapara, District Balodabazar-Bhatapara, (Chhattisgarh)
3. The Station House Officer, Police Station City Kotwali, Balodabazar, Distt Baloda Bazar-Bhatapara, (Chhattisgarh)
4. Rakesh Saraf S/o Late Kanhaiyalal Saraf Aged About 30 Years R/o Sadar Bazar, Balodabazar, Distt Balodabazar-Bhatapara, (Chhattisgarh)

---- Respondents

Shri Goutam Khetrapal, counsel for the petitioner/s.
Shri Manish Nigam, Panel Lawyer for the State.

Order On Board

29/07/2015

Heard.

This petition has been filed by the petitioner aggrieved by action of the police authorities by which upon report of the petitioner, instead of registering offence, the Station House Officer has given report under Section 155 of the CrPC.

2. Learned counsel for the petitioner submits that in view of the judgment of the Supreme Court in the case of **Lalita Kumari v. Government of Uttar Pradesh and others, 2008 (7) SCC 164,** the police authorities are under an obligation to take cognizance of report disclosing cognizable offence.
3. It appears that upon complaint made by the petitioner, the police undertook an enquiry. Irrespective of whether report under Section 155 CrPC could be given, in the circumstances of the present case, I am not inclined to interfere with the matter.
4. The petitioner has a remedy of filing complaint under Section 200 of CrPC.
5. With the aforesaid liberty, the petition is dismissed.

Sd/-

Manindra Mohan Shrivastava
Judge