

HIGH COURT OF CHHATTISGARH, BILASPUR

WPCR No. 187 of 2015

Krishna Kumar @ Kirtan Manhar S/o Shri Gophe Lal Manhar, Aged About 52 Years
Occupation- Labourer, Resident Of - Quarter No. E- 2/3, Atal Awas Colony,
Rajkishore Nagar, Bilaspur, Civil And Revenue District - Bilaspur (Chhattisgarh).

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Home Affairs, New Mantralaya, Mahanadi Bhawan, Raipur (Chhattisgarh)
2. Union Of India, Through - Ministry Of Home Affairs, New Delhi.
3. Director General Of Police, State Of Chhattisgarh, Department Of Home Affairs, Raipur (Chhattisgarh)
4. Superintendent Of Police, District. Bilaspur (Chhattisgarh)
5. Lalchand Mohle, Station House Officer, Police Station - Takhatpur, District- Bilaspur (Chhattisgarh)
6. Dr. Nikhilesh Gupta, Government Hospital, (Primary Health Centre) Takhatpur, District- Bilaspur (Chhattisgarh)
7. Dr. Deepak Soni, Government Hospital (Primary Health Centre) Takhatpur, District- Bilaspur (Chhattisgarh)
8. Rajendra Khande, S/o. Shri Itwari Khande, Aged About 30 Years Resident Of Village Gunsari, Tahsil And P. S.- Takhatpur, District - Bilaspur (Chhattisgarh)
9. Itwari Khande, Aged About 55 Years Resident Of Village- Gunsari, Tahsil And P. S.- Takhatpur, District Bilaspur (Chhattisgarh)
10. Sumitra Bai, W/o Shri Itwari Khande, Aged About 50 Years Resident Of Village- Gunsari, Tahsil And P. S.- Takhatpur, District Bilaspur (Chhattisgarh)
11. Ku. Reena Khande, D/o Shri Itwari Khande, Aged About 19 Years Resident Of Village- Gunsari, Tahsil And P. S.- Takhatpur, District- Bilaspur (Chhattisgarh)
12. Raju Khande, S/o Shri Itwari Khande, Aged About 32 Years Resident Of Village- Gunsari, Tahsil And P. S.- Takhatpur, District- Bilaspur (Chhattisgarh)

---- Respondents

For Petitioner	:	Shri A. N. Bhakta, Advocate
For Respondent/State	:	Shri R.K. Gupta, Dy.A.G.
For Respondent/UOI	:	Shri Ramakant Pandey, Advocate

Order On Board

12/10/2015

Heard.

Case diary has been produced before this Court. The police has already registered offence under Sections 306 & 498 A /34 IPC.

Learned counsel for the petitioner submitted that looking to the circumstances in which the death has taken place, it is a case of murder.

After perusal of the case diary, at this stage, it would be premature to hold whether prima facie case of alleged murder is made out or not. Investigation is still going on. Postmortem report shows cause of death due to asphyxia as a result of hanging and the injury is reported to be antimortem in nature.

In view of the aforesaid material, this petition at this stage, is disposed off with direction to the concerned Station House Officer to carry out investigation and complete the same as early as possible.

If charge sheet is filed only for the offence confined under Sections 306, 498-A/34 IPC, the petitioner may revive his petition at that stage.

Case diary be returned.

Sd/-
(Manindra Mohan Shrivastava)
Judge