

HIGH COURT OF CHHATTISGARH, BILASPUR

WPCR No. 102 of 2013

1. Parmanand Sahu aged about 45 years Ex-Vice President Block Congress Committee Mahasamund R/o Village Chicha, Police Station Mandir Hasaud, Dist. Raipur C.G.

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary Department Of Home, Mantralaya, Mahanadi Bhawan, New Raipur, Dist. Raipur C.G.
2. Superintendent Of Police Mahasamund, Dist. Mahasamund C.G.
3. Station House Officer, Police Station Mahasamund C.G.
4. Agni Chandrakar S/o Late Shri Raman Lal Chandrakar, Aged About 59 Years R/o Station Road Mahasamund, Dist. Mahasamund C.G.
5. Nokhe Lal Chandrakar S/o Jhhumuk Lal Chanrakar, Aged About 79 Years R/o Bemcha, Police Station City Kotwali Mahasamund C.G.

---- Respondent

For Petitioner	Shri Pawan Kesharwani, Advocate
For Respondent/State	Shri R.K. Gupta, Dy. Adv. General

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

09/12/2015

1. This petition under Article 226 of the Constitution of India has been preferred for a direction to the respondents to file charge

sheet or closure report in respect of crime No.351/2006, Police Station Mahasamund, District Mahasamund before the competent Court.

2. It is submitted by the learned counsel for the State that the closure report was submitted before the jurisdictional Magistrate, however, the learned Magistrate returned the report with direction that it should be submitted by the Investigating Officer. Learned counsel would further submit that the present status of the matter is not clear from the documents available.
3. Having heard learned counsel for the parties and considering the nature of prayer made by the petitioner, who is the complainant in crime No.351/2006, the writ petition is disposed of in the following terms :
 - If the closure report has not yet been submitted, the concerned Investigating Officer shall submit the closure report before the Chief Judicial Magistrate, Mahasamund (for short 'the CJM') within a period of one month from today.
 - In the event closure report has already been submitted and is pending consideration before the CJM, the petitioner, who is the complainant of crime No.351/2006 shall appear before the said Court along with an

application and certified copy of this order and thereafter, the CJM shall proceed further in the matter in accordance with law after providing opportunity of hearing to the petitioner.

- In the event the closure report has already been accepted by the CJM, the petitioner would be at liberty to take recourse to the remedy available to him in law against acceptance of the closure report.

Sd/-

Judge

Prashant Kumar Mishra

Gowri