

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPCR No. 59 of 2015**

- Awdesh Banjare, S/o Tam Lal Banjare, Aged About 33 years, Occupation Constable No. 73, Resident At Police Lane Karli, Police Station Gidam, Distt Dantewada, (C.G.)

---- Petitioner**Versus**

1. State of Chhattisgarh, Through Department of Home Mantralaya Mahanadi Bhawan Raipur (C.G.)
2. Superintendent Of Police, Distt. Dantewada (C.G.)
3. Commandant 11th Battalion CAF Janjgir Champa (C.G.)
4. Station House Officer, Police Station Geedam Distt. Dantewada (C.G.)
5. Sandeep Taram, S/o Milan Taram, Aged About 30 Years, Constable No. 663, Through Commandant 11th Battalion CAF Janjgir Champa (C.G.)

---- Respondents

For Petitioner

Shri Ashok Patil, Advocate

For Respondent/State

Shri Gary Mukhopadhyay, Dy. G. A.

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****19/03/2015**

Heard learned counsel for the parties.

1. Petitioner has preferred this writ petition seeking a direction to the respondent No.2 to file charge sheet against respondent No.5 in Crime No.76/12 registered at Police Station Gidam, District Dantewada (C.G.).
2. Learned counsel for the petitioner would submit that on petitioner's

complaint, FIR was registered against unknown persons for committing offence under Section 429 of IPC, however, the concerned Police has not completed the investigation and filed charge sheet before the competent Court.

3. In **Ram Lal Narang vs. State (Delhi Admn.)**¹, it has been held by the Supreme Court that:-

“Once the FIR is registered, the concerned Investigating Officer and the Police Station is under obligation to conclude the same without undue delay and submit a report before the competent Court as required under Section 173 of the Code of Criminal Procedure, 1973.”

4. In view of the above, the writ petition is disposed of with a direction to the Investigating Officer and respondent No.4, Station House Officer, Police Station Gidam, District Dantewada in crime No.76/2012 to complete the investigation and submit charge sheet or the final report, based on the outcome of the investigation, at the earliest.

J U D G E

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¹ AIR 1979 SC 1791 para 14