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**IN THE HON'BLE HIGH COURT OF CHHATTISGARH
AT BILASPUR**

WRIT PETITION (CRIMINAL) No. : 235 /2014

IN THE MATTER OF:

An application under Article 226 & 21 of the
Constitution of India

And

IN THE MATTER OF:

Writ(s) in the Nature of Mandamus and/or
issuance of appropriate
Writ(s)/direction(s)/order(s)

And

IN THE MATTER OF:

Between

1. Smt. ABC, W/o XYZ, aged about DZ years,
R/o Village Tapranga, Post-Dhaurabhanta,
Thana & Tehsil Tamnar, District Raigarh
(C.G.)

VERSUS

1. State of Chhattisgarh, through Secretary
Department of Home, Mantralaya,
Mahanadi Bhawan, New Raipur, (C.G.)

And

2. Union of India, through Secretary, Ministry
of Home Affairs, Shastri Bhawan, New Delhi
(C.G.).

And

3. Central Bureau of Investigation (CBI),
Through its Director, Plot No. 5-B, 6th Floor,
CGO Complex, Lodhi Road, New Delhi
11,0003.

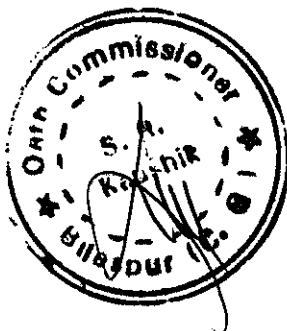
And

4. Mr. Navin Jindal, Chairman, Jindal Steel and
Power Ltd. Tamnar, Thana & Tehsil
Tamnar, District Raigarh (C.G.)

And

5. Mr. Bhargava, Manager, Jindal Steel and
Power Ltd. Tamnar, Thana & Tehsil
Tamnar, District Raigarh (C.G.)

235/14
Presented by Shri. Manoj Kumar
16/12/14



(2)

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And
6. Managing Director, Jindal Steel and Power
Ltd. Tamnar, Thana & Tehsil Tamnar,
District Raigarh (C.G.)

HIGH COURT OF CHHATTISGARH AT BILASPUR**WP(Cr) No.235 of 2014****PETITIONER**

Smt. ABC

-Versus-**RESPONDENTS:**State of Chhattisgarh &
others**Present**

Shri Manohar Lal Sharma with Shri Harsh Wardhan, counsel for the petitioner.

Shri JK Gilda, learned Advocate General with Shri Arun Sao, Deputy Advocate General for the State.

Shri NK Vyas, ASG with Shri Bhupendra Singh, Standing Counsel for the Union of India.

Shri Vivek Tankha, Sr. Advocate with Shri Ashish Shrivastava, Shri Rishab Sancheti, Shri GL Sharma, Shri Animesh Verma, Shri Soumya Rai & Ms. Shruti Verma, Advocates for respondent No.4.

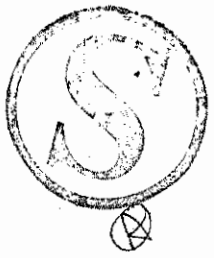
Shri Rajendra Tiwari, Sr. Advocate with Shri Ashish Shrivastava, Shri Parag Shrivastava, Shri Animesh Verma & Shri Soumya Rai, Advocates for respondents No.5 & 6.

Single Bench: Hon'ble Shri Prashant Kumar Mishra, J.**ORAL ORDER****(6-1-2015)**

1. Learned Advocate General assures this Court that if the petitioner approaches the concerned Police Station and lodges a complaint regarding the allegations which have been projected in this writ petition, which were not earlier reported to the concerned police, the same shall be enquired/investigated in accordance with law laid down by the Supreme Court in the matter of **Lalita Kumari Vs. Government of Uttar Pradesh and others¹**. If need be, a preliminary enquiry would be conducted and thereafter if any cognizable offence appears to have been committed by any prospective accused persons, the concerned Police shall proceed in

accordance with law.

2. At this stage, Shri Sharma, learned counsel for the petitioner would submit that there is threat on the petitioner's person and property, therefore, the petitioner may be permitted to lodge a complaint/report before the Superintendent of Police, Bilaspur, which may be taken down at '0' and thereafter it may be sent to the concerned police for doing the needful.
3. However, learned Advocate General would seriously object to the proposition by submitting that there is absolutely no threat to the person or property of the petitioner and if the petitioner needs, security shall be provided to her wherever she is presently staying and she can appear before the concerned Superintendent of Police along with her counsel for lodging the report.
4. Shri Sharma informs that the petitioner along with her counsel shall visit the office of Superintendent of Police, Bilaspur by 6.30 pm today.
5. Submission made by learned Advocate General appears to be reasonable. Therefore, it is directed that the petitioner may visit the office of Superintendent of Police, Raigarh along with her counsel for submission of complaint. On such submission, the Superintendent of Police, Raigarh shall forward the same to the concerned Police Station for proceeding ahead in the matter in accordance with law laid down by the Supreme Court in **Lalita Kumari** (supra). It is also directed that the petitioner, along with her counsel, shall visit the office of Superintendent of Police, Bilaspur by 6.30 pm today and thereafter she will be provided adequate security for her onwards journey to the office of Superintendent of Police, Raigarh at State expenses. It is expected of the Superintendent of Police to supervise and monitor the issue so that



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the law laid down by the Supreme Court in **Lalita Kumari** (supra) is fully adhered.

6. With the above observations and directions, the writ petition is finally disposed of. However, it is made clear that this Court has not passed any order nor has made any observations on the merits of the issue.

7. CC today.

Sd/-
Prashant Kumar Mishra
Judge

Barve