

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (PIL) No. 58 of 2016**

P.N. Dubey S/o Shri Vyas Dubey, Aged About 46 Years R/o Gandhi Nagar, Post Fundurdihari, P.S. Gandhi Nagar, Tahsil Ambikapur, District Surguja, (Chhattisgarh)

---- **Petitioner**

Versus

1. State Of Chhattisgarh Through: The Secretary, Home Department, Mahanadi Bhawan, Mantralaya, Naya Raipur, Tahsil & District Raipur, (Chhattisgarh)
2. The Director General Of Police, Police Head Quarter, Naya Raipur, Tahsil & District Raipur, (Chhattisgarh)
3. The Inspector General Of Police, Surguja Range, Ambikapur, District Surguja, (Chhattisgarh)
4. Superintendent Of Police, Surguja, District Surguja, (Chhattisgarh)
5. S.H.O., Police Station Gandhinagar, Ambikapur, District Surguja, (Chhattisgarh)
6. S.H.O., Police Station, Ajak, Ambikapur, District Surguja, (Chhattisgarh)
7. S.H.O., Police Station, Crime Branch, Ambikapur, District Surguja, (Chhattisgarh)
8. Larangram, Deputy Superintendent Of Police/ Sub Divisional Officer, (Police), In Charge Ajak And Crime Branch, Ambikapur, District Surguja, (Chhattisgarh)
9. Ramsewak Paikra, Home Minister, State Of Chhattisgarh, R/o Village And Police Station Chendra, Tahsil & District Surajpur, (Chhattisgarh)
10. Bhupesh Singh, In Charge, Crime Branch, Ambikapur, District Surguja, (Chhattisgarh)
11. Vinay Singh, Head Constable, Crime Branch, Ambikapur, District Surguja, (Chhattisgarh)

---- **Respondent**

For Petitioner	:	Shri S.C.Verma, Advocate.
For Respondent/State	:	Shri A.S.Kachhwaha, Additional Advocate General and Shri Y.S. Thakur, Deputy Advocate General.

Hon'ble Shri Deepak Gupta, Chief Justice
Hon'ble Shri P. Sam Koshy, J.

Order on Board

Per Deepak Gupta, Chief Justice

30/06/2016

1. This petition has been filed by Shri P.N.Dubey, a practising Advocate in the District Court, Ambikapur. His grievance is that one Shri Dineshwar Prasad Soni @ D.K.Soni, a member of the Ambikapur Bar Association has been implicated in false cases by the police because he has levelled certain corruption charges against the Home Minister of the Chhattisgarh State.
2. Before dealing with the matter, it would be appropriate to mention that this lawyer viz. Shri D.K.Soni had met one of us (Chief Justice) at his residence on Sunday at 5:30 - 6:00 pm and had been advised to file appropriate petition before the Court. Though, Shri Soni had not approached the Court, we are entertaining this petition only because of the reason that Shri Soni is a lawyer. The main prayer in the petition is that he should not unnecessarily be harassed.
3. Reply has been filed by the State in which it is stated that Shri Soni is involved in three criminal cases. In two of the cases, report under Section 173 CrPC has been submitted against him and one is under investigation. According to the Petitioner. Learned Counsel for the Petitioner states that Shri Soni has already been acquitted in one of these cases.
4. Alongwith the reply of the State, an order of the learned Special Judge, Surguja, Ambikapur has been annexed rejecting the anticipatory bail application filed by Shri Soni.
5. No doubt the anticipatory bail application has been rejected on 29.06.2016 but in view of the fact that in bail proceedings such prayer has

been rejected, we cannot pass any orders directing that he should not be arrested. At the same time, we must ensure the safety of Shri Soni.

6. We therefore direct that in case Shri Soni is arrested or in case he surrenders, then he shall be taken to the nearest Hospital and got medically examined. Information of arrest shall also be given to the Petitioner, Shri P.N.Dubey so that Shri Soni can have the assistance of Shri Dubey for any purpose that he may desire.

7. In case, Shri Soni is arrested or he surrenders and files a bail application, that may be disposed of as early as possible. We also make it clear that we have not gone into merits of the case and it is upto Shri Soni to apply for anticipatory bail before the High Court or to take any other appropriate action, as may be advised.

8. With the aforesaid observations and direction, this petition is disposed.

Sd/-
(Deepak Gupta)
CHIEF JUSTICE

Sd/-
(P. Sam Koshy)
JUDGE