

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (HC) No. 41 of 2014**

- Onkarnath Yadav S/o Jagarnath Yadav, Aged About 48 Years, R/o Village Bisarpani, P.S. Kamleshwarpur, Tah Mainpat, Distt Surguja, C.G.

---- Petitioner**Versus**

1. State of Chhattisgarh, Through The Secretary, Home Department, Mahanadi Bhawan, Mantralaya, New Raipur, Dist Raipur, C.G.
2. Superintendent of Police Ambikapur, Dist Surguja, C.G.
3. Station House Officer, Police Station Kamleshwarpur, PO Kamleshwarpur, Distt Surguja, C.G.
4. The Sub-Divisional Magistrate Sitapur, Dist Surguja, C.G.
5. Sumanto Das S/o Ghanshyam Das, Aged About 25 Years, R/o Lawda, PS Daspur, Distt Madnipur (West Bengal)
6. Anita Yadav D/o Onkarnath Yadav, Aged About 17 Years, C/o Sumano Das, R/o Lawda, PS Dspur, Distt Madnipur, (West Bengal)

---- Respondents

For Appellant	:	Mr. Shrawan Agrawal, Advocate
For Respondent/State	:	Mr. Y.S. Thakur, Dy. Advocate General

Hon'ble The Chief Justice
Hon'ble Shri Justice P. Sam Koshy

Order on Board**Per Deepak Gupta, Chief Justice****17/08/2016**

1. Learned counsel for the petitioner submits that minor daughter of the petitioner was kidnapped by private respondent No.5.
2. Notice on petition was given to the concerned Police. It appears that she

has got married with respondent No. 5. Her medical documents were also produced. She was major at the relevant time.

3. The petitioner has alleged that Shri J.S. Maravi, Inspector, has obtained false medical documents producing another woman instead of Anita Yadav. Thereafter, this court had referred the following question to the Chief Judicial Magistrate for conducting an enquiry :-

“Consequently, Chief Judicial Magistrate, Ambikapur is directed to enquire into the matter whether Shri J.S. Maravi, Inspector has obtained false medical documents by producing another woman instead of respondent No. 5, Anita Yadav or petitioner has filed false affidavit stating that police has obtained false medical documents by producing another woman and submit its report within 30 days from today?”

4. The Chief Judicial Magistrate in its report has stated that the petitioner appeared before the Court and he has admitted that the photographs belongs to his daughter Anita. He also stated that he has not made any complaint in this regard to his lawyer. He also stated that he is an illiterate person and cannot read Hindi or English but can only sign, and he admitted his signature in the affidavit. The Police Inspector deposed that he had sent his staff to West Bengal to search out Anita Yadav to bring her before the High Court. According to him Anita Yadav herself given the photocopies of the documents i.e. voter card, registration certificate of marriage, doctor check-up slip, affidavit and photographs.
5. If the photographs is not disputed it is apparent that she on her own choice is residing with respondent No. 5, therefore, we find that this

petition is unnecessarily consuming the time of the Court and is accordingly dismissed.

Sd/-
(Deepak Gupta)
Chief Justice

Sd/-
(P. Sam Koshy)
Judge