

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Cr.M.P No. 800 of 2016**

Kamta Prasad S/o Shri Kapapram Naik Aged About 63 Years R/o Rakshapali, P.S. & Tahsil Kharsia, District Raigarh, Civil & Revenue District Raigarh, Chhattisgarh.

---- Petitioner**Versus**

1. Naimish Kumar S/o Shri Shyam Kumar Naik Aged About 21 Years R/o C/o Ashok Patel, Village Dolesara, Tahsil Gharghoda & District Raigarh, Chhattisgarh.
2. Rekha Devi Agrawal W/o Shri Manoj Kumar Agrawal Aged About 38 Years R/o 2 Floor, Laltanki Road, Bahidadarpara, Raigarh, District Raigarh, Chhattisgarh.
3. Ashok Kumar Sahu S/o Shri Shatrughan Sahu Aged About 35 Years R/o Village Lodajhar Tahsil Gharghoda, District Raigarh, Chhattisgarh.
4. Ajay Agrawal S/o Shri Govind Agrawal Aged About 40 Years R/o Dhabhra Road, Ranisati Shop, Kharsia, Tahsil Kharsia, District Raigarh, Chhattisgarh.
5. Tahsildar, Shri L.S. Painkra, Tahsil Office Kharsia, District Raigarh, Chhattisgarh.
6. Revenue Inspector, Shri Chauhan, Tahsil Office Kharsia, District Raigarh, Chhattisgarh.
7. P. Nagvanshi Halka Patwari, Purana 16, Naya 32, Tahsil Office Kharsia, District Raigarh, Chhattisgarh.

-----Respondents

For Petitioner:	Shri Manoj Kumar Sinha, Advocate.
For Respondents:	None.

Single Bench: Hon'ble Shri P. Sam Koshy, J
Order On Board

29.7.2016

1. The grievance of the Petitioner is that the Petitioner/Complainant had filed a complaint case before the JMFC, Kharsia as early as on 5.6.2012 and the JMFC, Kharsia had as early as on 25.9.2012, asked the concerned police station, Kharsia to submit a report so far as the complaint of the Petitioner is concerned. However, though almost 4 years have passed, the

police authorities of P.S Bhoopdevpur, District Raigarh have not submitted a report and neither have the Court below taken any steps on the said complaint filed by the Petitioner and the complaint case is still lying unregistered for more than 4 years at the same stage at which it was lying 4 years back.

2. The limited prayer of the Petitioner is that a direction may be given to the Court below as well as the police authorities for submitting the report and for further proceeding on the said report.

3. The relief sought for by the Petitioner does not seem to be unreasonable in the facts of the present case where in spite of 4 years having been passed from the date of complaint being filed, the matter has not progressed from the stage of calling a report from the police authorities.

4. Therefore, this Court is of the opinion that ends of justice would meet if a direction is given to the Court below. Accordingly, the Court below is directed to use all powers under the provisions of Cr.P.C vested upon it to ensure that further proceedings in the complaint case are initiated at the earliest to reach to a logical and legal conclusion.

5. With the aforesaid direction, the instant Cr.M.P stands disposed of.

Sd/-

(P. Sam Koshy)

JUDGE