

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

Writ Petition (Cr.) No.76 of 2016

Sahdev Barle, S/o Amir Das Barle, aged about 46 years,
R/o Village Thelkadih, Post Mahrumkala, Via Gumkha,
Tahsil Khairagarh, District Rajnandgaon (C.G.)

---- Petitioner

Versus

1. State of Chhattisgarh, Through Director General of Police,
Police Headquarter Raipur, District Raipur (C.G.)
2. The Superintendent of Police, Rajnandgaon, District
Rajnandgaon (C.G.)
3. Station House Incharge Dongargarh, Police Station
Dongargarh, District Rajnandgaon (C.G.)
4. Station House Incharge Khairagarh, Police Station
Khairagarh, District Rajnandgaon (C.G.)
5. Officer Incharge, Police Chowki Mohara, Police Station
Dongargarh, District Rajnandgaon (C.G.)
6. Mohammad Naseer, Director of Fine Indisales Pvt. Ltd.,
91-A, Vajidpur, Jajmau, Kanpur (U.P.)
7. Bhupendra Chaturvedi, S/o Nand Kumar Chaturvedi,
Director of Fine Indisales Pvt. Ltd., R/o 92/2, Nehru Nagar
(East), Bhilai, District Durg (C.G.)

---- Respondents

For Petitioner: Mr. Manish Upadhyay, Advocate.

For the State/Respondents No.1 to 5: -
Mr. Neeraj Kumar Sharma, Deputy Govt.
Advocate, on advance copy.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

16/03/2016

1. Heard on admission.
2. The petitioner by way of this writ petition seeks a direction to the respondent authorities not to arrest the petitioner till the enquiry/investigation is completed in light of direction issued by respondent No.1 dated 12-2-2016.
3. Learned counsel for the petitioner submits that the petitioner is being harassed by the respondent authorities particularly by respondents No.3, 4 and 5, as the petitioner and other depositors have deposited the amount with M/s. Fine Indisales Pvt. Ltd., through demand draft in the name of the Company which has promised to give interest to the depositors, but interest is not being given by the Company, however, at the instance of depositors, the respondents are harassing the petitioner contrary to the direction issued by the Director General of Police on 12-2-2016.
4. The petitioner seeks a direction to the respondents not to arrest him till proper enquiry or investigation is completed in light of the order dated 12-2-2016.
5. It has not been stated in the petition that whether any criminal case has been registered against the petitioner and whether any investigation is going on in such an offence registered against him. The petitioner is free to

approach the jurisdictional criminal court in accordance with law, but at present, without disclosing that any offence has been registered, the petitioner is not entitled for any blanket order directing the respondents not to arrest the petitioner. However, the petitioner is free to proceed in accordance with Section 438 of the CrPC.

6. With the aforesaid observation, the writ petition deserves to be and is accordingly dismissed at the admission stage itself. No order as to cost(s).

Sd/-
(Sanjay K. Agrawal)
Judge