

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WA No. 347 of 2016**

- Fredrick Kerketta S/o Late Shri Francis Kerketta, Aged About 53 Years
R/o Janakpur, Tahsil Bharatpur, Police Station Janakpur, District Korea,
(Chhattisgarh)

---- Appellant**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Home And Police, Mantralaya, Mahanadi Bhawan, Raipur, (Chhattisgarh)
2. The Director, General Of Police Chhattisgarh, Police Head Quarter, Raipur, P.S. And Post Rakhi, District Raipur, (Chhattisgarh)
3. Inspector General Of Police (I G P), Sarguja Range, Sarguja, (Chhattisgarh)
4. Superintendant Of Police, Korea, District Korea, (Chhattisgarh)
5. Dhaniram Shukla, S/o Shri Rajmani Shukla, Aged About 48 Years R/o Village Ganjar, Police Station Janakpur, District Korea, (Chhattisgarh)
6. Ramakant Dubey, S/o Late Shri Ramnihore Dubey, Aged About 27 Years R/o Village Ganjar, Police Station Janakpur, District Korea, (Chhattisgarh)
7. Smt. Rambai, Wd/o Late Shri Ramnihore Dubey, Aged About 48 Years R/o Village Ganjar, Police Station Janakpur, District Korea, (Chhattisgarh)

---- Respondents

For Appellants	:	Shri Abhishek Pandey, Advocate
For Respondents No.1to4	:	Shri Prafulla N. Bharat, Addl. Advocate General
For Respondent No.5 to 7	:	Shri D.N.Prajapati, Advocate

Hon'ble The Chief Justice
Hon'ble Shri Justice Sanjay Agrawal

Order On Board**25/10/2016****Per Deepak Gupta, CJ**

This appeal by the original writ petitioner is directed against the

judgment/order dated 20.06.2016 whereby the writ petition challenging the order of transfer dated 12.09.2015 has been dismissed by a learned Single Judge of this Court.

2. The main ground raised is that the appellant/petitioner has been transferred frequently and has been transferred as many as 7 times in the last two years. Normally, we do expect that a Police Official is kept at one station for at least two years and Police Officer should not be subjected to frequent transfers because that demoralises the Police force. Having said so, each case has to be examined on its own facts. We had called for the record of the case and the record shows that between 15th August 2015 and his transfer on 12th September, 2015, as many as three serious cases were complained before the appellant, but, the appellant had not taken any action nor lodged F.I.R. and in one case it is alleged that he tried to force the victim in a case of rape to compromise the matter with the accused.

3. We are entering into the merits of the illegalities because that is the subject matter of disciplinary proceedings. However, in such circumstances, the Department has no other option but to transfer the appellant/petitioner forthwith. Otherwise, the public will have no faith in the Police system..

4. In view of what has been stated, we find no merit in this appeal, which is accordingly dismissed.

Sd/-

(Deepak Gupta)
Chief Justice

Sd/-

(Sanjay Agrawal)
Judge