

HIGH COURT OF CHHATTISGARH, BILASPUR

WPCR No. 338 of 2016

Brij Kishore Bhattar, S/o. Shri Shankar Lal, Aged About 44 Years, R/o. Wasan Gali, Main Road, Korba, Police Station, Tahsil & Distirct- Korba, Chhattisgarh

---- Petitioner

Versus

State Of Chhattisgarh, Through The Station House Officer, Police Station- Janjgir, District Janjgir-Champa, Chhattisgarh

---- Respondents

For Petitioner : Mr. Anoop Majumdar, Advocate
For Respondents : Mr. Anupam Dubey, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

09.12.2016

1. Challenge in this petition is to the FIR dated 17.12.2015 wherein it is stated that the petitioner was one of the Director of the Company namely M/s. Sarvamangla Property India Limited, which has obtained different amount from the persons to return the same with a high interest but subsequently failed to do so and the Company was closed. On alleging those, the FIR has been lodged.
2. It is submitted by the learned counsel for the petitioner that the petitioner has already resigned the Company on 07.10.2014 and he was not on the post of Director and whatever the Company has done, the applicant cannot be held liable, as he was no more in the role of the Director.
3. Perused the FIR. Considering the submission made by the petitioner, it is a matter of evidence, which has to be adjudicated during the trial. At this stage, only on the simple averment that the petitioner has resigned on 07.10.2014, it cannot be stated that no

role has been played by him. In a result, it will be prejudging the entire case.

4. For the aforesaid reasons, I am not inclined to entertain this writ petition and accordingly, it is dismissed at the admission stage itself.

Ashok

Sd/-
(Goutam Bhaduri)
Judge