

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPCR No. 250 of 2017**

Dr. Mehmood Nayyar Azam, S/o Mohd. Ishaque, Aged About 60 Years, R/o
Ward No. 5, Pondi, West Chirmiri, District- Koriya, Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Home Department, Mantralaya
Naya Raipur, District Raipur, Chhattisgarh
2. The Director General Of Police Raipur, Chhattisgarh
3. Superintendent Of Police, District- Koriya, Baikunthpur, Chhattisgarh
4. Station House Officer, Police Station Pondi, Chirmiri, Tahsil Baikunthpur,
District- Koriya, Chhattisgarh

---- Respondents

For the Petitioner	:	Shri Parag Kotecha, Advocate.
For the State/Respondents	:	Shri Ashish Shukla, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Judgment on Board****31.07.2017**

1. Heard.
2. It is submitted by the Learned counsel for the petitioner that the petitioner is a Social Activist. On the basis of the documents obtained through Right to Information Act, he has obtained knowledge that one Lingraj Nayak and a number of other persons, though not qualified for appointment to the post, are appointed and serving the South Eastern Coalfields Limited, Chirmiri Area (Chhattisgarh). On the basis of this knowledge, petitioner has made a written complaint to the Chief Vigilance Commission, Government of India to do the needful. It is submitted that the persons to be affected, if any inquiry is made in this respect, namely, Lingraj Nayak and some others are conspiring to cause harm and injury to the petitioner. Apprehending this, the petitioner has made a written complaint to Director General of Police, D.K.S. Bhawan Raipur, Chhattisgarh and a separate complaint was submitted to

Superintendent of Police, Baikunthpur, District- Koriya. (C.G) vide **Annexure P-2.** On the information given by the petitioner, one First Information Report has been lodged against Babu S/o Jharia for the offences under Sections 452, 294, 506 and 323 of the Indian Penal Code, hence, petitioner feels insecure in this condition and prays that a necessary direction may be issued.

3. Learned counsel for the State has opposed the submissions made on behalf of the petitioner and submitted that if the complaint made by the petitioner discloses commission of some cognizable offence in that case the police shall take action against the person named automatically, hence, there is no need of this petition.

4. Perused the record.

5. The case herein is different because the offence is not committed up till now, but petitioner is under apprehension that the offence may be committed against him by the persons concerned against whom he has made a complaint to the Chief Vigilance Commission, Government of India. This case can be disposed of with suitable directions. Hence, It is directed that the respondents shall inquire into the substance of the complaint made by the petitioner and if necessary register FIR against the persons who are found to have committed any kind of offence against the petitioner. An inquiry may also be made with respect to the requirement of security to the petitioner and if necessary, security may be provided to him.

6. With the aforesaid directions, this petition is disposed of at the motion stage.

Sd /-
(Rajendra Chandra Singh Samant)
Judge