

HIGH COURT OF CHHATTISGARH, BILASPUR

WPCR No. 342 of 2017

Dr. Anjan Singh Chauhan S/o Shri Radheshyam Chauhan, Aged About 30 Years R/o Infront of Old Petrol Pump, P. S. & Tahsil Kasdol, District Balodabazar Bhatapara Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through Its Secretary, Home Department, Mantrayala, Mahanadi Bhawan, Naya Raipur, District Raipur (Chhattisgarh)
2. Superintendent Of Police, Raigarh, District Raigarh (Chhattisgarh).
3. Superintendent Of Police, Balodabazar District Balodabazar Bhatapara Chhattisgarh.
4. Station House Officer, Police Station Sarangarh, District Raigarh (Chhattisgarh).
5. Station House Officer, Police Station Kashdol, District Balodabazar Bhatapara Chhattisgarh.
6. Dr. Kiran Chauhan, D/o Ruplal Chauhan, Aged About 26 Years R/o Village Sahaspur Police Station & Tahsil, Sarangarh, District Raigarh (Chhattisgarh).
7. Ruplal Chauhan, Aged About 54 Years R/o Village Sahaspur Police Station & Tahsil, Sarangarh, District Raigarh (Chhattisgarh).
8. Prakash Chauhan, S/o Ruplal Chauhan, Aged About 24 Years R/o Village Sahaspur Police Station & Tahsil, Sarangarh, District Raigarh (Chhattisgarh).
9. Smt. Aruna Chauhan, W/o Ruplal Chauhan, Aged About 50 Years R/o Village Sahaspur Police Station & Tahsil, Sarangarh, District Raigarh (Chhattisgarh).
10. Mahavir Chauhan, (Teacher) Railway Banglapara, Post & Tahsil, Raigarh, District Raigarh (Chhattisgarh).
11. Punit Ram Chauhan, Ex Member Of Scheduled Caste Commission, Post Office Baramkela, Post Baramkela, Tahsil Baramkela, District Raigarh (Chhattisgarh).

---- Respondent

For the Petitioner : A.S. Rajput, Advocate.
For the Respondents/ State : Shri Anil S. Pandey, GA.
Nos. 1 to 5.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

12.09.2017

Heard.

1. Learned counsel for the petitioner submits that this petition has been brought under Article 226 of the Constitution of India with prayer for issuance of direction.
2. Learned counsel for the petitioner prays that on 16.04.2017 petitioner had been to Sarangarh, District- Raigarh to bring his wife. Wife and his laws and respondents No.6 to 11 quarrel with him and then assaulted him, with intention to cause his death by beating him with rod, hammer and bolder and they also tried to strangle him with the gamcha, thereafter, the respondent No. 6 to 11 threatened the petitioner to falsely implicate him in case of demand of dowry.
3. The written complaint was made in Police Station- Sarangarh, District Raigarh on 16.04.2017, but no action has been taken by respondent No.4, thereafter, the complaint was also made in Police Station Kashdol, District Balodabazar and thereafter, to Superintendent Of Police, Balodabazar and Raigarh i.e., respondent No. 2 and 3, but no action has been taken till date.
4. Hence this petition.
5. Learned counsel for the State opposes the petition and the submission made and submits that direction may be issued to the respondents to do the needful and the petition may be disposed off.
6. Heard the learned counsel for the parties and perused all the document placed on record.
7. Keeping in view the Judgment of Supreme Court in case of **Lalita Kumari vs. Government of Uttar Pradesh and Others reported in (2014) 2 SCC 1**. It is bounden duty of the concerned police office either to register FIR if the complaint discloses commission of cognizable offence or if the

allegations need verification in that case atleast an inquiry should be made to find out whether cognizable offence has been committed or not and do the needful. Accordingly this petition is allowed at the motion stage.

8. Hence this petition is disposed off with direction that respondents No.2 and 5 shall make an inquiry on the complaint made by the petitioner and if any substance is found on the complaint made to do the need full in accordance with law.

9. This petition is disposed of.

Sd/-

(Rajendra Chandra Singh Samat)

Judge

Jamal