

HIGH COURT OF CHHATTISGARH, BILASPUR

WPCR No. 338 of 2017

Ku. Rani Soni D/o Late Balram Soni, Aged About 29 Years R/o Thanganpara, Near Shiv Mandir, Mayapur Nagar, Ambikapur, District Surguja, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Home Affairs, Mahanadi Bhawan, Mantralaya, Naya Raipur, District Raipur (Chhattisgarh).
2. Inspector General Of Police, Range Surguja, District Surguja, Chhattisgarh.
3. Superintendent Of Police, Surguja, District Surguja, Chhattisgarh.
4. Collector, Surguja, District Surguja, Chhattisgarh.
5. Station House Officer, Police Station Kotwali, Ambikapur, District Surguja, Chhattisgarh.
6. Tangudu Shrihari S/o Shri T. Vishvanatham, Aged About 42 Years Occupation Accountant Office Of Divisional Manager, Surguja Pariyojana Mandal, Ambikapur, District Surguja, Chhattisgarh.

---- Respondents

For the Petitioner	: Rajkumar Pali, Advocate.
For the Respondents/ State	: Shri Neeraj Sharma, DGA.
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 to respondents No.1 to 5.
2. It is submitted by learned counsel for the petitioner that petitioner (Ku. Rani Soni) used to work as office assistant on daily wages basis in Chhattisgarh State Forest Development Corporation Limited, Ambikapur, where Respondent No.6 works as accountant in the same department. Respondent No.6 had on number of occasions abused the petitioner, using obscene language, taking photographs without her permission and by use of force outraging her modesty during the period, the petitioner used to work in the said office.
3. It is submitted by the learned counsel for the petitioner that petitioner made a complaint to the senior officer of the corporation on 22.07.2017, thereafter, she submitted complaint on 03.08.2017 to Managing Director, Chhattisgarh State Forest Development Corporation Limited, Ambikapur, She has also made a written complaint in PS- Ambikapur on 23.07.2017 and never submitted complaint before the Collector, Sarguja, District- Sarguja (C.G) dated 24.07.2017 and lastly she has sent a complaint to Superintendent of Police and I.G. Range, Sarguja, on 12.08.2017, but no action has been taken on any of the complaints made by her.
4. Learned counsel for the State opposes the submission made and submit that the petitioner has been charged for dereliction of duties and has been removed from the service and therefore she has made

complaint against the respondent No.6.

5. Heard the learned counsel for the parties and perused all the document placed on record.
6. 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 appears that petitioner has submitted a complaint to respondent No.5 (Station House Officer, Police Station Kotwali, Ambikapur, District Sarguja, Chhattisgarh) and thereafter, to respondent No.4 Superintendent of Police and Inspector General Of Police, Range Sarguja, District Sarguja, Chhattisgarh.
7. It is bounden duty of the police officer concerned to register FIR if the complaint so made clearly discloses some cognizable offence. Otherwise the concerned police officer has option to make an inquiry and find out whether any cognizable offence has been committed or not, and submit report accordingly.
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, he also directed to do the need full in accordance with law.
9. This petition is disposed off.

Sd/-
(Rajendra Chandra Singh Samat)
Judge