

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPCR No. 367 of 2017**

Smt. Upasi Bai W/o Gourishankar Kaushik, Aged About 30 Years R/o
Village Birgaon, Tahsil & District Mungeli, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through Police Station Takhatpur, District Bilaspur, Chhattisgarh.
2. Superintendent Of Police, District Bilaspur, Chhattisgarh.
3. Station House Officer, Police Station Takhatpur, District Bilaspur, Chhattisgarh.

---- Respondents

For the Petitioner	: Shri Mirza Hafeez Baig, Advocate.
For the Respondents/State	: Shri Neeraj Sharma, DGA.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order on Board****20.09.2017**

Heard.

3. Learned counsel for the petitioner submits that on 23.01.2017 she made a written complaint against her husband and in-laws regarding demand of dowry and subjecting her with cruelty. She was directed to appear before the Family Counseling Center where compromise could not be arrived at and thereafter, a notice under Section 155 of Cr.P.C. has been served on the petitioner calling upon her to approach the court of law. It is submitted that the complaint made by the petitioner clearly

discloses commission of cognizable offence, hence a notice under Section 155 of Cr.P.C was un-called for in this case. Therefore, it is prayed that a direction be issued to the respondent concerned to lodge FIR against the husband of the petitioner and other relatives.

4. Learned counsel for the State submits that the case may be disposed off with the aforesaid direction.
5. I have heard the learned counsel for the parties and perused all the document placed on record.
6. In view of the judgment of **Lalita Kumari vs. State of Uttar Pradesh and Others reported in (2014) 2 SCC 1 and Rajesh Sharma Vs. State of Uttar Pradesh and Ors (2017) 8 SCALE 313**, it is bounden duty of the police officer to register FIR on receiving a complaint which discloses commission of cognizable offence or otherwise make an inquiry if it is necessary to do so.
7. Accordingly, this petition is disposed off with a direction to the Respondents to inquire into the complaint made by the petitioner and do the needful by following the guidelines laid down in the matters of **Arnesh Kumar vs. State of Bihar (2014) 8 SCC 273**, and **Rajesh Sharma Vs. State of Uttar Pradesh and Ors (2017) 8 SCALE 313**.

Sd /-

(Rajendra Chandra Singh Samant)

Judge