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HIGH COURT OF CHHATTISGARH, BILASPUR**W.P. (Cr.) No. 274 of 2017**

Ramayan Prasad Kashyap S/o Late Shri Badari Prasad Kashyap,
Aged About 62 Years President Jai Maa Durga Machhuwara Kalyan
Samiti, Village Awarid, R/o Village Bhatapara, Awarid, Block
Nawagarh, District Janjgir Champa, Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Home Department, Mahanadi Bhawan Naya Raipur, District Raipur, Chhattisgarh.
2. Director General Of Police, Police Head Quarter Raipur, District Raipur Chhattisgarh.
3. Inspector General Of Police, Bilaspur Range, Bilaspur, District Bilaspur, Chhattisgarh.
4. Superintendent Of Police, Janjgir District Janjgir Champa, Chhattisgarh.
5. Police Station House Officer, Police Station Nawagarh, District Janjgir Champa, Chhattisgarh.
6. Smt. Durpa Bai W/o Mahettar Kashyap, Ex Upsarpanch, Gram Panchayat Awarid, Police Station Nawagarh, District Janjgir Champa, Chhattisgarh.
7. Faguram Dhiwar President Jai Mahamaya Dhiwar, Machhuwa Sahakari Samiti, Awarid, Police Station Nawagarh, District Janjgir Champa, Chhattisgarh.

---- Respondents

For the Petitioner : Shri V.K. Pandey, Advocate.
For Respondents No.1 to 5/ State : Shri Neeraj Sharma, Deputy G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****09.08.2017**

1. Heard.
2. Learned counsel for the petitioner submits that respondents No.6 and 7 forged a recommendation letter for the purpose of obtaining lease of village pond. The petitioner made a complaint before Chief Executive,

Janpad Panchayat, Nawagarh, who on enquiry has found that the allegation levelled against the respondent is correct. It is further submitted that a written complaint was made to respondent No.5 – Station House Officer, Police Station Nawagarh but no action has been taken in this matter so far on the complaint submitted. Further a complaint was also submitted before respondent No.4 – Superintendent of Police, Janjgir-Champa, however, no action has been taken on the complaint submitted. Hence, this petition.

3. Learned counsel for respondents No.1 to 5/ State submits that the case may be disposed off with appropriate direction.

4. In view of the guidelines in **Lalita Kumari vs. Government of Uttar Pradesh and Others** reported in **(2014) 2 SCC 1** when a complaint is made to the S.H.O. of Police Station, it is bounden duty of S.H.O. to register an FIR, if the complaint discloses commission of cognizable offence or if the contents of the complaint need verification then atleast an enquiry has to be made to come to a conclusion whether any cognizable offence is made out or not. In view of the guidelines laid down by the Supreme Court, this petition is disposed of with a specific direction to respondent No.5 to make an enquiry on the complaint submitted by the petitioner and do the needful in accordance with law.

5. In view of above, this petition stands disposed off.

Sd/-

(Rajendra Chandra Singh Samant)
Judge