

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**W.P.(Cr.) No. 318 of 2017**

Mineshwar Prasad Jangde S/o Late Tula Ram Jangde, Aged About 50 Years R/o A/ 146, Vasant Vihar Colony, Police Station Sarkanda, District Bilaspur Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary Of Home Department Mahanadi Bhawan, Naya Raipur, District Raipur Chhattisgarh.
2. Superintendent Of Police, District Bilaspur Chhattisgarh.
3. Station House Officer, Police Station Sarkanda, District Bilaspur Chhattisgarh.

---- Respondents

For the Petitioner : Shri Lalit Jangde, Advocate.
 For the Respondent/ State : Shri Neeraj Sharma, Deputy G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****01.09.2017**

1. Heard.
2. Learned counsel for the petitioner submits that the petitioner has lodged one First Information Report and on the basis of which a case has been registered against the accused concerned. The accused in that case is a teacher in DAV School. Subsequent to lodging of FIR, the police has not made arrest of the accused concerned on the pretext that the accused in the case could not be traced out. Hence, this petition.
3. Learned State counsel has opposed the grounds raised in the petition and the submissions made on behalf of the petitioner and submitted that the petition may be disposed off with a direction to the concerned police station.
4. Perused the record.

5. Considering the submissions made and on perusal of documents on record, it appears that respondent No.3 is independent to conduct investigation and make arrest as per the requirement of the case. However, for the purpose of this petition, it is directed that on the basis of the investigation, if any case is made out, then the proceedings be taken up in accordance with Section 170 of the Cr.P.C., as early as possible.

6. With the aforesaid directions, this petition is disposed off.

Sd/-

(Rajendra Chandra Singh Samant)
Judge