

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPCR No. 411 of 2017**

Sapna Shrivastava D/o Shri Radhika Prasad Shrivastava, Aged About 42 Years R/o M I G 06 Jagannathpuram, Rajkishor Nagar, Police Station Sarkanda, Tahsil & District Bilaspur, Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Its Secretary, Home Department, Mantralay, Mahanadi Bhawan, Naya Raipur, District Raipur, Chhattisgarh.
2. Inspector General Of Police, Bilaspur, District Bilaspur, Chhattisgarh.
3. Superintendent Of Police, Bilaspur, District Bilaspur, Chhattisgarh.
4. Station House Officer, Police Station Sirgitti, District Bilaspur, Chhattisgarh.
5. Station House Officer, Police Station Sarkanda, District Bilaspur, Chhattisgarh.
6. Ramakant Shrivastava, Aged About 42 Years Engineer R/o B.R.I. (Pull Section), Railway Colony, Raipur, Tahsil & District Raipur, Chhattisgarh.

---- Respondents

For the Petitioner : Shri A. S. Rajput, Advocate.
 For the Respondent/State : Shri Ashish Shukla, GA.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order on Board****10.10.2017**

Heard.

1. This petition has been brought under Article 226 of the

Constitution of India for issuance of an appropriate writ.

2. It is submitted by learned counsel for the petitioner that petitioner was married to respondent No.6 and that marriage was dissolved in the year 01.11.2012 by decree passed by the Family Court Sahdol, Madhya Pradesh. Thereafter, respondent No.6 has forged a power of attorney for sale, showing the petitioner as the person giving power of attorney and using the same has sold the lands belonging to the petitioner in Village- Sirigitti, District- Bilaspur (C.G), thus committing offences of fraud and misappropriation. A written complaint was given to respondent No.3 on 18.02.2015, thereafter, another complaint was made on 01.03.2016 and lastly written complaint was submitted to respondent No.3 on 18.04.2016, but no action has been taken so far by the police authorities. Hence, this petition.
3. Learned counsel for the petitioner has placed reliance on the judgment of **Lalita Kumari vs. Government of Uttar Pradesh and Others** reported in **(2014) 2 SCC 1**.
4. Learned counsel for the State submits that case may be disposed of with direction.
5. I have heard the learned counsel for the parties and perused all the document placed on record.
6. The contents of the complaint made by the petitioner to respondent No.3 vide **Annexure P1,P2 & P3** disclose serious allegations made against respondent No.6. It is bounden duty of

police officer receiving information about commission of any offence, to register FIR in case the contents of such information discloses commission of cognizable offence, otherwise if the contents of information need verification, in that case atleast to make an inquiry as held in **Lalita Kumari vs. State of Uttar Pradesh and Others** (supra). Hence, this petition is allowed at the admission stage.

7. Respondents No.3,4 and 5 are directed to take action on the complaint submitted by the petitioner and make an inquiry as to whether cognizable offence has been committed or not, in case any commission of offence in such inquiry then FIR may be registered and investigation may be conducted accordingly.
8. This petition stands disposed off.

Sd /-

(Rajendra Chandra Singh Samant)

Judge