

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPCR No. 276 of 2017**

Nirmallesh Pandey S/o Jagdish Kumar Pandey, Aged About 29 Years R/o Quarter No. 50 Chandralok Colony, Rajkishore Nagar, Near Shani Mandir, Bilaspur, Tahsil & District Bilaspur Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Superintendent Of Police, Bilaspur, District Bilaspur Chhattisgarh.
2. Station House Officer, Police Station Sarkanda, District Bilaspur Chhattisgarh.
3. Smt. Annu Devi Agrawal W/o Anand Agrawal, Aged About 40 Years R/o A - 12, Mahavir City, Rajkishore Nagar, Tahsil & District Bilaspur Chhattisgarh.
4. Sheetla Manikpuri D/o Rishabh Das, Aged About 22 Years R/o Village Nagpura, Police Station Sirgitti, Tahsil & District Bilaspur Chhattisgarh.
5. Rajkumar Das S/o Shri Rambahadur Das, Aged About 34 Years R/o Madhusudhan Palli, Ward No. 11, Raurkela, District Raurkela (Odisha) At Present R/o A - 22, Mahavir City, Rajkishore Nagar, Tahsil & District Bilaspur Chhattisgarh.

---- Respondents

For the Petitioner : Shri K. P. S. Gandhi, Advocate.
 For the Respondents/ State : Shri Ashish Shukla, Government Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order on Board****10.08.2017**

Heard.

1. It is submitted by counsel for the petitioner that petitioner and respondent No.3-4, entered into an agreement for sale of property vide **Annexure-P1** and **Annexure-P2 & 3**, but respondents No. 3 to 5 did not execute the sale-deed in favour of the petitioner and have breached the agreement for sale. On demand made by petitioner to refund the amount advanced, petitioner is being threatened. Petitioner has made a complaint in Police Station, Sarkanda, District-Bilaspur, Chhattisgarh, but no offence was registered and a report

under Section 155 of Cr.P.C. was given to him mentioning that no offence is made out on the basis of the complaint made, thereafter, petitioner has submitted a written complaint before the Superintendent of Police, Bilaspur, Chhattisgarh, vide **Annexure-P7**, but no action has been taken by the police so far, hence, this petition.

2. Learned counsel for the State has submitted that there is a civil dispute between the petitioner and respondents No.3 to 5, hence, the matter is of civil nature and direction may be issued to the petitioner to approach the Civil Court.
3. Both the parties are heard and perused the documents on record.
4. Considering the nature of the complaint made vide **Annexure-P7** that petitioner is being threatened continuously by the respondents No.3 to 5, it would be appropriate to issue direction to the respondents No. 1 and 2 for doing the needful.
5. In view of above, this petition is allowed at the motion stage, for the purpose of issuance of directions. Respondents No.1 and 2 are directed to make an inquiry, on the complaint **Annexure-P7** submitted by the petitioner and to do the needful in accordance with law and also in accordance with the guidelines laid down in **Lalita Kumari Vs. Government of Uttar Pradesh and Others** reported in **(2004) 2 SCC 1**.
6. Accordingly, this petition stands disposed off.

Sd /-
(Rajendra Chandra Singh Samant)
Judge