

HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(CR). No. 327 of 2017

1. Smt. Durga Devi Pagariya, W/o. Shri Gajraj Pagariya, Aged About 55 Years, Partner M/s. Mangilal Pagariya, Having Its Office at No. 4 Jain Jyoti Complex, R.S. Shukla Road, Raipur, Chhattisgarh
2. Smt. Ugam Devi Pagariya, W/o. Late Mangilal Pagariya, Aged About 78 Years, Partner M/s. Mangilal Pagariya, Having Its Office at No.4 Jain Jyoti Complex, R.S. Shukla Road Raipur, Chhattisgarh

---- Petitioners

Versus

1. State of Chhattisgarh, Through : The Secretary, Ministry of Home, Mahanadi Bhawan, Mantralaya, Naya Raipur, District- Raipur, Chhattisgarh.
2. The Superintendent of Police, Raipur, District -Raipur, Chhattisgarh
3. The Station House Officer, Police Station : Civil Lines, Raipur, District Raipur, Chhattisgarh

---- Respondents

For Petitioners	: Mr. Manish Sharma, Advocate
For Respondents/State	: Mr. Anil S. Pandey, Govt. Advocate

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

06/09/2017

Heard.

1. Counsel for the petitioners submits that petitioners were partners in the firm M/s. Mangilal Pagaria. The other partners of the firm namely Sushil Kumar Pagaria has defalcated and misappropriated the property of the firm for which a complaint was made to all the respondents on 24.08.2016, but till date no action has been taken by

the respondents.

2. Counsel for the State/respondents submits that case may be disposed off with direction.
3. I have heard the learned counsel for the parties and perused the documents placed on record.
4. Considering the fact that petitioners have made a written complaint before the respondents and because of the inaction of the respondents, this petition has been brought, therefore, keeping in view the judgment passed by the Hon'ble Supreme Court in case of ***Lalita Kumari Vs. State of U.P. and Ors.***, reported in ***(2014) 2 SCC 1***, this petition is disposed of with direction. The respondents are directed to make an enquiry on the complaint made by the petitioners and in case any cognizance offence is made out against the named accused person in the complaint, FIR may be registered and proceeded accordingly, otherwise the respondent/authorities shall be at liberty to file a final report within a period of two months.
5. Accordingly, the petition stands disposed off with aforesaid observation.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Balram