

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(CR.) No. 290 of 2016

Sunil Mansani, S/o. Late Indarchand Mansani, Aged About 45 Years, R/o. Vishal Nagar, Raipur, District -Raipur, (Chhattisgarh).

---- Petitioner

Versus

1. State Of Chhattisgarh, Through: The Secretary, Department Home, Mahanadi Bhawan, Mantralaya, New Raipur, Police Station: Rakhi, District: Raipur, (Chhattisgarh).
2. Superintendent Of Police, Raipur, District Raipur, (Chhattisgarh).
3. The Incharge Of Police Station: Gole Bazar, Raipur, District Raipur, (Chhattisgarh).
4. Ratan Lal Gupta, S/o. Late Mukundchand Gupta, Aged About 61 Years, R/o. Amapara, Ward No. 3, Kanker, Tahsil And District Kanker, (Chhattisgarh).

-----Respondents

For Petitioner	: Ms. Nand Kumar Kashyap, Advocate
For State/respondents	: Mr. Anil S. Pandey, Govt. Advocate

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

11/07/2017

Heard.

1. It is submitted by counsel for petitioner that respondent No.4 and the petitioner entered into an agreement on 07.04.2016, in which it was agreed that respondent No.4 shall pay amount of Rs.9,11,000/- to the petitioner two days after sale the land of the subject matter. Respondent No.4 has not made any payment because of which

petitioner lodged a written complaint -Annexure P/1 in Police Station – Goal Bazar, Raipur, on the basis of which, no FIR was registered. Thereafter, the petitioner gave written complaint to the Superintendent of Police, Raipur complaining against the Station House Office, Police Station Goal Bazar, Raipur. Again no action was taken and no FIR was lodged against the respondent No.4, hence this petition.

2. Counsel for the petitioner submits that power under Article 226 of Constitution of India be exercised to pass an order in favour of the petitioner.
3. Considering the contents of the agreement dated 07.04.2016 and the written complaint submitted in Police Station – Goal Bazar, Raipur it appears very clearly from that it is a matter of agreement, which has been breached by respondent No.4 on which no criminal case can be initiated. It is completely a civil matter, hence there is no scope for passing of any order in this case.
4. In result, the petition has no merit and is dismissed at admission stage itself.

Sd/-
(Rajendra Chandra Singh Samant)
Judge