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HIGH COURT OF CHHATTISGARH, BILASPUR**WPCR No. 158 of 2018**

Bali Ram Chaurasia S/o Shri Chaitu Ram Aged About 62 Years
(Teacher) R/o Village Lailunga, Ward No. 3, Tah- Lailunga, District-
Raigarh, Civil & Revenue District- Jashpur, Chhattisgarh.

--- Petitioner

Versus

1. State of Chhattisgarh Through Secretary Home (Police) Department, Mahanadi Bhavan, Mantralaya, New Raipur, District- Raipur, Chhattisgarh.,
2. The Inspector General of Police, Police Department, New Raipur, District- Raipur, Chhattisgarh.,
3. The Superintendent of Police, Raigarh, District Raigarh, Chhattisgarh.,
4. The Superintendent of Police, Jashpur, District Jashpur, Chhattisgarh.,
5. Collector, Raigarh, District- Raigarh, Chhattisgarh.,
6. The Station House Officer, Police Station Lailunga, District- Raigarh, Chhattisgarh.
7. The Station House Officer, Police Station Pathalgaon, District Jashpur, Chhattisgarh.,

--- Respondents

For Petitioner	:	Shri Manoj Kumar Sinha, Advocate
For Respondents-State	:	Shri S.R.J. Jaiswal, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****13.03.2018**

1. By this writ petition filed under Article 226 of the Constitution of India, the petitioner has sought the following relief (s) in Para 10.

"10.1 That the Hon'ble Court may kindly be pleased to call for the entire records of the petitioner's case;

10.2 That the Hon'ble Court be further pleased to direct the respondent authorities to make investigation in accordance with the procedure established by law and register FIR against the persons involved in the offence;

10.3 Any other order that the Hon'ble Court deems fit and necessary in the circumstances of the case be also passed."

2. Learned counsel for the petitioner submits that the FIR was lodged in Police Station that some unknown person has fraudulently withdrawn the amount of Rs.54,000/- from his Bank Account through the ATM, however, despite such report, no offence was registered.
3. A perusal of the FIR would show that complaint was made to the Police that some person pretending himself to be the Branch Manager has received the ATM Card details from the petitioner and thereafter the said person has withdrawn Rs.54,000/- from the bank account of the petitioner through ATM and though the report was made immediately, yet no investigation was carried out. Prima facie it appears that cognizable offence was reported.
4. Perused the Annexure P-1 dated 14.12.2017. Considering the fact that cognizable offence has been reported to the concerned police station and in view of the law laid down by the Supreme Court in ***Ram Lal Narang Vs. state (Delhi Admn.) AIR 1979 SC 1791 and Lalita Kumar Vs. Government of Uttar Pradesh***

and others (2014) 2 SCC 1 wherein it has been held that on such complaints being made disclosing commission of cognizable offence, the concerned Police shall register the FIR, complete the investigation within a reasonable time, the writ petition is disposed of with a direction to the concerned police to proceed in accordance with law and do the needful for completing the investigation at the earliest.

Sd/-

GOUTAM BHADURI
JUDGE

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