

HIGH COURT OF CHHATTISGARH, BILASPUR**WPCR No. 189 of 2018**

Deepak Yadav S/o Bedram Yadav Aged About 45 Years R/o Village Kasdol , Police Station Kasdol , District Baloda Bazar-Bhatapara Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary Home Department Mantralaya Mahanadi Bhawan New Raipur District Raipur Chhattisgarh.
2. Director General Of Police Head Quarter Raipur District Raipur Chhattisgarh.
3. Superintendent Of Police, District Baloda Bazar-Bhatapara Chhattisgarh.
4. Station House Officer, Police Station Kasdol , District Baloda Bazar Bhatapara Chhattisgarh.
5. Tarachand Ratre (Head Constable) Line Attach Thana City Kotwali District Baloda Bazar-Bhatapara Chhattisgarh.
6. Taman Sahu R/o Rohasi, Tahsil Kasdol Thana Kasdol District Baloda Bazar-Bhatapara Chhattisgarh.

---- Respondents

For petitioner - Shri Suresh Verma, Advocate.
For Respondent/State –Shri Ashish Shukla, Dy.A.G.

Hon'ble Shri Justice Goutam Bhaduri

Order

03/04/2018

Heard.

1. Learned counsel for the petitioner submits that son of the petitioner committed suicide by hanging on 24/09/2017 and direct allegations have been attributed against respondent No.5 Tarachand Ratre who was head constable and respondent No.6 Taman Sahu who abetted the deceased to commit suicide. It is contended that despite the written report was made naming respondents who are responsible police has not registered any FIR despite the fact cognizable offence was reported.
2. Petitioner has claimed the following reliefs in this petition:-

“a. That, this Hon'ble Court may kindly be called for the record relating to petitioner.

b. That, this Hon'ble Court may kindly be direct the respondent authority No.1 to 4 to proper investigation against the respondents No.5 & 6 related to death of deceased Alok Yadav (minor 17 years)

c. That, this Hon'ble Court may kindly be direct the respondent authority no.1 to 4 to registered the First Information Report under Section 306 of IPC. against the respondent No.5 & 6.

d. Any other relief which this Hon'ble Court may deem fit and proper may also be passed in favor of the petitioner together with cost of the petition.”

3. Perused the written report which appears to be made on 26/09/2017 addressed to the SHO, Police Station Kasdol. Considering the fact that cognizable offence has been reported following the law laid down by the Supreme Court in case of **Ram Lal Narang Vs. State (Delhi Admn.) AIR 1979 SC 1791** and **Lalita Kumari Vs. Government of Uttar Pradesh and others** reported in **(2014) 2 SCC 1** wherein it is held that when complainant discloses commission of cognizable offence, the concerned Police shall register FIR. In view of such law laid down by the Supreme Court, it is directed that the concerned Police shall register the FIR and complete the investigation within a reasonable time.

4. With such observation, the petition is disposed of.

Sd/-

(Goutam Bhaduri)

JUDGE