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HIGH COURT OF CHHATTISGARH, BILASPUR**WA No. 256 of 2018**

(Arising out of order dated 20.03.2018 passed in W.P. (Cr.) No. 339 of 2017
by the learned Single Judge)

- Maya Ram Sahu S/o Late Arjun Das, Aged About 28 Years R/o Village Dahida, Nawagarh, District : Bilaspur, Chhattisgarh

---- Appellant**Versus**

1. State of Chhattisgarh Through The Secretary, School Education Department, Secretariat, Mahanadi Bahwan, New Raipur, Police Station Rakhi, P.O. Rakhi, District Raipur Chhattisgarh. Pin 492002.
2. Commissioner, Bilaspur Division, At Bilaspur, District : Bilaspur, Chhattisgarh
3. Collector, Janjgir Champa, District : Janjgir-Champa, Chhattisgarh
4. Superintendent of Police, Janjgir Champa, District: Janjgir-Champa, Chhattisgarh
5. District Education Officer, Sakti, District : Janjgir-Champa, Chhattisgarh
6. District Education Officer, Janjgir Champa, District: Janjgir-Champa, Chhattisgarh
7. Block Education Officer, Sakti, District : Janjgir-Champa, Chhattisgarh

---- Respondents

For Appellant	:	Shri Rakesh Kumar Jha, Advocate.
For Respondents	:	Shri Yashwant Singh Thakur, Additional Advocate General.
For Intervener	:	Shri Ajay Shrivastava, Advocate.

Hon'ble Thottathil B. Radhakrishnan, Chief Justice**Hon'ble Shri Justice Sharad Kumar Gupta****Judgment on Board****Per Thottathil B. Radhakrishnan, Chief Justice****03.05.2018**

1. This appeal is against the judgment of the learned Single Judge refusing to interfere with the request of the DEO or BEO, as the case may be, for lodgment of an FIR in terms of the Code of Criminal Procedure.
2. We have heard the learned counsel for the Appellant, the learned Additional Advocate General and the learned counsel for the intervener.

3. The learned Single Judge has rightly held that the communication for lodgment of an FIR does not necessarily mean that any case is finally made out as against the person against whom such FIR is being lodged. All that has happened is that the BEO has written to the Station House Officer (SHO) requesting lodgment of FIR against the Petitioner's firm.
4. We are of the view that the learned Single Judge was justified in saying that this writ petition is premature and no relief can be granted contrary to the flow of the various provisions of Code of Criminal Procedure and we do not see any illegality in the judgment impugned.
5. This writ appeal is accordingly dismissed.

Sd/-

(Thottathil B. Radhakrishnan)
Chief Justice

Sd/-

(Sharad Kumar Gupta)
Judge