

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**CRMP No. 660 of 2018**

- DiHu Singh Markam S/o Shri Parsu Ram Markam Aged About 27 Years R/o Vishrampur, Infront of J. D. Crasher, District Surajpur Chhattisgarh

---- Petitioner**Versus**

1. State of Chhattisgarh Through The Station House Officer, Police Station Prem Nagar, District Surajpur Chhattisgarh
2. Superintendent of Police Surajpur, District Surajpur Chhattisgarh
3. Station House Officer Police Station Prem Nagar, District Surajpur Chhattisgarh
4. Jaikaran S/o Kanshi Aged About 50 Years
5. Dharma Sai S/o Mutur Aged About 58 Years
6. Shivcharan son of Sonsai Aged About 45 Years
7. Ramdhani S/o Sonsai Aged About 38 Years

No.4 to 7 are R/o Village Tara, P. S. And Tahsil Premnagar, District Surajpur Chhattisgarh

---- Respondents

For Petitioner	:	Shri Keshav Prasad Gupta, Advocate
For Respondents-State	:	Shri Adhiraj Surana, Dy. GA for the State

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****05/04/2018**

1. Heard.
2. The present petition is for quashing the FIR dated 16.03.2018 registered at Police Station , Prem Nagar by Dharam Sai & others. The FIR purports that a land was acquired by the coal field and against that an amount of Rs.28,08,592/- was paid. Since the land was mutated in the name of the

father and name of heirs were not recorded, as such to record the name of the heirs, 7 Lakhs rupees bribe was demanded. Consequently, an amount of Rs.4 Lakhs was paid to the petitioner and Rs. 3 Lakhs to the others, for which a complaint was made in Jandarshan, Surajpur. Subsequently, one agreement was prepared by showing that he will return the amount and complainant was forced to sign such agreement, however, the amount was not returned for which the FIR was lodged.

3. Learned counsel for the petitioner submits that the amount of Rs.4 Lakhs was obtained as a loan for the personal use, however, the same has wrongly been alleged that the amount of Rs. 4 Lakhs was paid for transfer of the name. He would further submit that it is normal practice prevailing in the police station that when some amount is being taken alleged allegations are made and the police demand money and if the money is not paid, the cases are registered like nature.
4. Perusal of the FIR would show that prima facie the case has been made out, which cannot be quashed by considering the defense i.e. agreement shown by the petitioner. The FIR also contains the fact that the complainant was pressurized to sign certain agreements. Certainly it would be an issue of investigation. Taking into the contents of the FIR, no case is made out for quashing of the FIR.
5. Accordingly, the petition is dismissed.

Sd/-
Goutam Bhaduri
Judge

Ashu