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HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (Cr.) No. 223 of 2018**

Ramesh Kumar Sharma S/o S/o Late Shri Satyanarayan Sharma Aged About 59 Years R/o C/17, Sector-1 Avanti Vihar Colony, Telibandha, Raipur, Chhattisgarh., District : Raipur, Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary, Department Of Home, Mantralaya, Mahanadi Bhawan, New Raipur, District- Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. Secretary, Law And Legislative Affairs Department, Mantralaya, Mahanadi Bhawan, New Raipur, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
3. Superintending Engineer (Electrical/ Mechanical) Circle, Public Health Engineering Department Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
4. State Economic Offences Investigation Bureau, Chhattisgarh,through Superintendent Of Police, Anti Corruption Bureau, Anand Nagar, In Front Of Jai Jawan Petrol Pump,telibandha, Raipur, Tahsil And District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
5. Station House Officer, State Economic Offences Investigation And Anti Corruption Bureau, Raipur, Tahsil And District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

---- Respondents

For the Petitioner	:	Shri Kishore Bhaduri and Shri Pawan Kesharwani, Advocates.
For the Respondent/State	:	Shri Anil S. Pandey, G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****11.04.2018**

Heard.

1. This petition has been brought with a prayer for issuance of appropriate writ against the respondents. It is submitted by counsel for the

petitioner that Crime No. 43 of 2016 has been registered by Respondent No.5 -Station House Officer, State Economic Offences Investigation & Anti Corruption Bureau in which the offences under Section 13(1)(e) read with Section 13(2) of the Prevention of Corruption Act is being investigated. The petitioner has made a representation before respondent No.4. Copy of the representation has been filed alongwith this petition vide Annexure – P/2 by the petitioner, giving explanation for all the assets that have been included the inventory prepared by respondent No.4 – State Economic Offences Investigation Bureau during the raid conducted. The grievance of the petitioner is that the assets that have been included belonged to his father, wife, brother and other family members exclusively, which they acquired from their own sources of income and the said fact was not taken into consideration by the investigation agency. A detailed Form-1 to 3 as required in the investigation has also been submitted by the petitioner to respondent No.4 which needs to be considered in the investigation itself. Hence, it is prayed that the respondents be directed to take into consideration all the representations, submissions that have been made by the petitioner in the investigation before coming to any conclusion.

2. Learned counsel for the respondents objects the submissions made in the petition and the arguments made in this respect.

3. After due consideration, this petition is disposed off at the motion stage with the directions to respondents No.4 and 5 to consider the representation already made by the petitioner and also allow him to make additional submissions or produce additional documents in objective manner after duly verifying the source of information so produced before

respondents No.4 and 5 before taking any action against him. The matter is said to be pending before respondent No.2 and it is also directed that respondent No.2 shall take into consideration the directions issued by this Court with respect to respondents No. 4 and 5 before passing any order.

4. With the aforesaid directions, this petition is disposed off.

Sd/-

(Rajendra Chandra Singh Samant)
Judge