

HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(Cr.) No. 270 of 2018

1. Sachin Shandilya, S/o. Late Shri U.K. Shandilya, Aged About 47 Years, R/o. S-25, Rajeev Nagar, Police Station Mowa, Civil And Revenue District Raipur Chhattisgarh.
2. T.R. Dewangan, S/o. Late Dindayal Dewangan, Aged About 54 Years, (Manager Of Gyan Ganga Education Institute Private Limited), R/o. Gyan Ganga Education Institute Private Limited, Nardaha, Police Station Vidhan Sabha, Raipur, District Raipur Chhattisgarh.

---- Petitioners

Versus

1. State Of Chhattisgarh, Through Its Principal Secretary, Department Of Home, Mahanadi Bhavan, Mantralaya, Naya Raipur, District Raipur Chhattisgarh.
2. The Superintendent Of Police, Raipur, District Raipur Chhattisgarh.
3. The Station House Officer, P.S. Vidhan Sabha Raipur, District Raipur Chhattisgarh.

---- Respondents

For Petitioner	:	Mr. Sunil Pillai, Advocate
For State/Respondents	:	Mr. Anil Pillai, Dy. A.G.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

08.05.2018

Heard

1. Learned counsel for the petitioners submits that this is a second round of litigation, earlier a writ petition bearing W.P.(Cr) No.36/2016 was filed on the ground that despite lodging of the complaint, FIR was not registered. In such W.P.(Cr.) No.36/2016 reply was filed by the State stating that on 30.04.2016 the FIR bearing Crime No.107/2016 has been registered and investigation is going on and submits that still the investigation has not concluded and the Investigating Officer was bound to complete the investigation within stipulated period of time, it cannot go for the time immemorial.

2. Perused the return of the State which was filed in the earlier W.P. (Cr.) No.36/2016 wherein it is contended that the FIR has been registered in Crime No.107/2016 on 30.04.2016 and the investigation is going on.
3. In the matter of **Ram Lal Narang v/s. State (Delhi Administration) {(1979) 2 SCC 322}** the Supreme Court held that whenever an office incharge of the Police Station received information relating to commission of a cognizable offence, he was required to register the FIR and complete the investigation without unnecessary delay and, as soon as it was completed, to forward to a Magistrate empowered to take cognizance of the offence upon a police report, a report in the prescribed form, setting forth the names of the parties, the nature of the information and the names of the persons who appeared to be acquainted with the circumstances of the case.
4. Considering the above law laid down by the Supreme Court, the writ petition is disposed of with a direction to the concerned Police Station to complete the investigation in accordance with law laid down by the Supreme Court in ***Ram Lal Narang (supra)*** at the earliest and file Final Report/Khatma or charge sheet, as the case may be, before the competent Criminal Court.

Sd/-
(Goutam Bhaduri)
Judge