

HIGH COURT OF CHHATTISGARH, BILASPUR

WPCR No. 286 of 2018

Firuram Sahu S/o Shri Mohanlal Sahu, Aged About 41 Years R/o Miththumuda, Rajeev Gandhi Nagar, Krishn Nagar, Within Boundry Ward No. 36, Nagar Palik Nigam, Thana - Jute Mill Chauki, Tehsil And District Raigarh Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary Home Department, Mantralay Mahanadi Bhawan, Naya Raipur, District Raipur Chhattisgarh.
2. Superintendent Of Police, District Raigarh Chhattisgarh.
3. Station Incharge, Police Station Chandrapur, District Janjgir Champa Chhattisgarh.
4. S.D.O. (P), Police Station Chandrapur, District Janjgir Champa Chhattisgarh.

---- Respondents

For petitioner - Shri Arvind Shrivastava, Advocate.
For State- Shri Anil Pillai, Dy.A.G.
For intervener- Shri Surfaraj Khan, Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order

14/05/2018

Heard.

1. Instant petition is filed claiming relief that not to harass the petitioner and his family members and direction be issued to the respondents No.3 & 4 to act according to the procedure of Cr.P.C even for investigation or calling for any document or requiring attendance of the petitioner as a witness in any case.
2. It is submitted that the petitioner is being informed to attend the Police Station without any notice or without any sufficient reason and in absence of the petitioner the raid was carried out in the house of the petitioner in the intervening night of 18-19th April, 2018.

3. Without going into merits of this case, it is felt that if the petitioner is required to produce certain documents or to be called as a witness, State Police Authorities are required to follow mandate of Cr.P.C. as stipulated under section 91 and 160 of Cr.P.C. If any FIR is registered then police is also free to act accordingly. Therefore, police is directed to act in accordance with the procedure of Cr.P.C. if the petitioner is required to produce any document or to give any evidence and further police shall also be free to follow procedure of Cr.P.C. if any FIR is registered against the petitioner.

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

Sd/-

(Goutam Bhaduri)

JUDGE