

HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(CR) No. 375 of 2018

Tikeshwari Bai, W/o. Ram Sewak Vaishnav, Aged About 36 Years, R/o. Village- Math, Tahsil-Tilda, District- Raipur, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh, Through the Inspector General Of Police, Raipur, Range, District : Raipur, Chhattisgarh
2. Superintendent Of Police Raipur, District- Raipur, Chhattisgarh.
3. Station House Officer, Police Civil Line Raipur, Chhattisgarh.

---- Respondents

 For Petitioner : Mr. Harshwardhan Jaiswal, Advocate
 For Respondents : Mr. Sangharsh Pandey, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

13.07.2018

Heard

1. Learned counsel for the petitioner submits that the petitioner through their ancestors were holding certain land bearing No.30/1, 132 & 401/1 at village Devpuri. One Alakh Niranjana on the basis of forged sale deed dated 05.01.1981 tried to get the purchaser's name mutated in the revenue records. Having known the same, the authenticity of the sale deed was enquired wherein the alleged sale deed which is said to be recorded in the books of Sub Registrar on 05.01.1981 in the Volume No.11112 do not exist at all and the entire forged and fabricated sale deed has been prepared for which a report was made, which would be evident from the document Appendix-B wherein the Volume No.11112 is of someone else. He submits that despite the written complaint, no actions have been taken by the police.
2. Perused the documents filed alongwith the petition and the report. Perusal of the report and the document Appendix B, which is a

copy of the Sub Registrar and the copy of the sale deed prima facie when are examined, it appears that the report of the cognizable offence has been made. Considering the nature of the documents filed, it is expected that the police needs to investigate the same.

3. In view of the law laid down by the Supreme Court in ***Ram Lal Narang v. State (Delhi Admn.) AIR 1979 SC 1791*** and ***Lalita Kumari v. Government of Uttar Pradesh and Others (2014) 2 SCC 1***, since the cognizable offence has been committed, the concerned Police shall register the FIR and complete the investigation within a reasonable time. It is further observed that this Court has not observed anything on merit of this case attributing any allegation to anyone and the investigation officer shall be at liberty to exercise his jurisdiction and will on the basis of the evidence available to him.
4. With such observation, the petition stands disposed off.

Ashok

Sd/-
(Goutam Bhaduri)
Judge