

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 4434 of 2018**

Kamlesh Thakur S/o Shri M. S. Thakur, aged about 45 years,
Working as a Inspector of Police, at present posted at Police Station
Modakpal, Bijapur, District Bijapur, Chhattisgarh

---- Petitioner**Versus**

1. State of Chhattisgarh through its Secretary, Home Department,
Mahanadi Bhawan Mantralaya, New Raipur, P.S. Rakhi, District
Raipur, Chhattisgarh
2. Director General of Police, Police Headquarter, Raipur, Tehsil and
District Raipur, Chhattisgarh
3. Inspector General of Police, O/o Inspector General of Police, Bilaspur
Range Bilaspur, Chhattisgarh
4. Superintendent of Police, O/o Superintendent of Police, Bilaspur,
District Bilaspur, Chhattisgarh
5. Sub Divisional Officer (Police), Division Kota, District Bilaspur,
Chhattisgarh

---- Respondents

For Petitioner : Shri Rupesh Shrivastava, Advocate
For Respondent/State : Shri S. P. Kale, Dy. Advocate General

Hon'ble Shri Justice P. Sam Koshy**Order On Board****06.07.2018**

The challenge in the present writ petition is to the charge sheet dated
22.01.2018 issued to the petitioner while he was working as a Inspector in
the Police Department posted at PS Kota, Bilaspur.

2. The petitioner has been served with a charge sheet issued by the

Inspector General of Police, Bilaspur Range on 22.01.2018. The petitioner has challenged the issuance of the charge sheet on the ground of competency of the Officer.

3. The issue raised in the instant case is squarely covered by a recent decision of this Court in the case of Lallan Singh and others v. State of Chhattisgarh and others and other connected writ petition decided on 19.06.2018, the leading case among which is WPS No. 4209 of 2015.

4. In the light of the decision of this Court dated 19.06.2018 in WPS No. 4209 of 2015 and other analogously decided petition, the present writ petition also deserves to be and is accordingly allowed. The impugned charge sheet thus stands quashed only on the ground of the same having been issued by an officer not authorized to issue the same. Reserving liberty of the State Government for issuance of a fresh charge sheet, if they so desire, through a competent authorised officer under the CG Police Regulation, the present writ petition stands allowed and disposed of.

**Sd/-
P. Sam Koshy
Judge**