

HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(CR) No. 397 of 2018

Jasbir Singh Bagga, S/o. Late Kishan Lal Bagga, Aged About 50 Years,
R/o. Station Para, Mahasamund, District Mahasamund, Chhattisgarh.

---- **Petitioner**

Versus

1. State Of Chhattisgarh, Through The Secretary, Home Department, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur, Chhattisgarh.
2. Superintendent Of Police, District Raipur, Chhattisgarh.
3. Station House Officer, Police Station Amanaka, District Raipur, Chhattisgarh.
4. Vaibhav Jain, S/o. Vimal Jain, Aged About 40 Years, Director, Vicon Automobile Private Limited, Ring Road No. 1 Sarona, Raipur, District Raipur, Chhattisgarh, R/o. South Avenue Choubey Colony, Saraswati Nagar, Raipur, District Raipur, Chhattisgarh.
5. Vimal Jain, S/o. Manik Lal Jain, Aged About 66 Years, Director, Vicon Automobile Private Limited, Ring Road No.1 Sarona, Raipur, District Raipur, Chhattisgarh, R/o. South Avenue Choubey Colony, Saraswati Nagar, Raipur, District Raipur, Chhattisgarh.

---- **Respondents**

For Petitioner : Ms. Sunita Jain, Advocate

For Respondents : Mr. Sangharsh Pandey, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

30.07.2018

Heard

1. Learned counsel for the petitioner submits that despite the report made to the police on 28.05.2018 that the petitioner has paid the amount to Vicon Automobile Private Limited and the amount though was received but the vehicle has not been handed over to the petitioner despite the fact that the entire amount has been paid. She submits that the report was made, however, the FIR was not registered.
2. Perused the report Annexure P-1 dated 28.05.2018. Considering the nature of allegations, it appears that prima facie cognizable offence has been reported. Therefore, 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 reported, the concerned Police is directed to register the FIR and complete the investigation at the earliest. It is further made clear that this Court has not observed anything touching merit of the complaint.

3. With such observation, the petition stands disposed off.

Ashok

Sd/-
(Goutam Bhaduri)
Judge