

HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(CR) No. 444 of 2018

Bhuvneshwar Gan, S/o. Mohit Ram, Aged About 32 Years, R/o. Village Karhi, Police Station Bemetara, Civil & Revenue District Bemetara, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh, Through The Secretary, Department Of Home Affairs (Police) New Raipur, Mantralaya, New Raipur, Civil & Revenue District Raipur Chhattisgarh.
2. Director General Of Police, Raipur, District Raipur, Chhattisgarh.
3. Inspector General Of Police, Range Durg, District Bemetara, Chhattisgarh.
4. Superintendent Of Police, Bemetara, Civil & Revenue District Bemetara, Chhattisgarh.
5. District Magistrate, Bemetara, Civil & Revenue District Bemetara, Chhattisgarh.
6. Station House Officer, Police Station Bemetara, District Bemetara, Chhattisgarh.
7. Station House Officer, Police Station AJAK, District Bemetara Chhattisgarh.
8. Madhuri Pandey
9. Pramila Pandey
10. Sangeeta Pandey
11. Rahul Tiwari, S/o. Pramod Tiwari, Aged About 26 Years
12. Laxmi Tiwari, W/o. Pramode Tiwari, Aged About 50 Years
13. Malvika Yadav, W/o. Bajrang Yadav, Aged About 30 Years, Rajwada Jagdalpur.
14. G.D. Agrawal, Aged About 55 Years, R/o. Behind Manorama Photocopy, Palace Road Jagdalpur
15. Rajat Bajpayee, S/o. Rajendra Bajpayee
16. Karimuddin, Aged About 68 Years.
17. Tausif Jahan, Aged About 58 Years.
18. Jaharuddin, Aged About 62 Years.
19. Samimuddin, Aged About 54 Years.
20. Shabnam, W/o. Jahruddin, Aged About 62 Years.
21. Jaynunlabanddin, S/o. Jaharuddin, Aged About 30 Years
22. Shadique Rahman, S/o. S.S.Rahman, Aged About 53 Years
23. Tasmin Rahman, W/o. Shadique, Aged About 44 Years.

Respondents No.8 to 23 are Directors Of Real Gold Company Ltd. Registered Address At Behind Manoram Photocopy Shop, Palace Road Jagdalpur, Chhattisgarh.

24. Amar Chand Shatruhan, S/o. Gayakwad, Aged About 30 Years, R/o. Village Karhi, Post & Police Station Bemetara, District Bemetara, Chhattisgarh.

---- Respondents

 For Petitioner : Mr. Punit Ruparel, Advocate
 For State : Mr. Ashish Shukla, Dy. A.G.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

07.08.2018

Heard

1. Learned counsel for the petitioner submits that the petitioner has invested money of Rs.25,000/- in Real Gold Chit Fund Company on 30.11.2016 and he was assured that the money would be doubled after two years and thereafter on 30.11.2017 when he went to the office of the Real Gold Chit Fund Company, the money could not pay and subsequently it was revealed that the Company has been closed. It is stated that though the FIR was made, however, still the FIR is yet to be registered.
2. Perused the report Annexure P-1, which appears to have been received by the police on 16.07.2018. 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 case of ***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 the police shall be free to investigate the offence against the actual real culprits involved in the crime irrespective of the fact that number of persons have been named by the petitioner. It is also made clear that this Court has not made

any observation on merit about the involvement of any respondent in this case.

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

Ashok

Sd/-
(Goutam Bhaduri)
Judge