

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No. 1824 of 2018

Dorilal S/o Kachhiram Aged About 46 Years R/o- Kenapali, Tahsil And Thana- Dabhra, Halmukam- Bermo Colory, Dhaura Number-03, Bermo, Post Office- Bermo, Tahsil- Tendudhar, District- Bokaro, Jharkhand ---- **Petitioner**

Versus

1. M/s R.K.M. Power Limited Through- Power Of Attorney Vijay Kumar Kasu S/o W.A. Kasu, Aged About 60 Years, Devendra Nagar, Plot No. D-76, Sector-04, Raipur, District- Raipur, Chhattisgarh
2. Laxminarayan S/o Nakul Satnami (Miri) Aged About 28 Years R/o- Village- Boerdader, Near Forest Naka, Thana And Tahsil, District- Raigarh, Chhattisgarh.,
3. M.P. Kesharwani Aged About 55 Years Advocate, R/o- Janjgir, District- (Revenue And Civil)- Janjgir-Champa, Chhattisgarh
4. Avinash S/o Ramesh Satnami Aged About 29 Years R/o- Village- Kenapali, Tahsil And Thana- Dabhra, District- (Revenue And Civil)- Janjgir-Champa, Chhattisgarh.
5. Shanti Kumar S/o Kedarnath Satnami R/o- Village- Kenapali, Tahsil And Thana- Dabhra, District- (Revenue And Civil)- Janjgir-Champa, Chhattisgarh
6. Lalaram Lahre S/o Balakram Satnami Aged About 60 Years R/o- Village- Kenapali, Tahsil And Thana- Dabhra, District- (Revenue And Civil)- Janjgir-Champa, Chhattisgarh
7. Derharam S/o Bihari Halka Patwari Village Unchpinda, Tahsil- Dabhra, Present Address- Arbhar, Thana And Tahsil- Malkharouda, District- (Revenue And Civil)- Janjgir-Champa, Chhattisgarh
8. K. P. Chovram Uppanjiyak, Panjiyan Karyalaya, Janjgir, District- (Revenue And Civil)- Janjgir-Champa, Chhattisgarh
9. K. L. Sori Tahsildar, Dabhra, Tahsil- Dabhra, District- (Revenue And Civil)- Janjgir-Champa, Chhattisgarh ..**Respondents**

For Petitioner : Mr. Anand Kesharwani, Advocate

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

14.09.2018

Heard.

1. This petition is against order dated 13.03.2018 passed in revision. The petitioner submitted an application under Section 156(3) of Cr.P.C. before the Magistrate alleging that the complainant came to know that the complaint under title and possession of the complainant has been made subject matter of sale and purchase under a registered sale deed by accused impersonating the complainant Dorilal and execution of sale deed in favour of M/s. R.K.M. Power Company Limited whereas complainant has not executed any such sale deed. A report was made in the police station but when no action was taken, the complainant filed application before the Magistrate. On the said complaint, the Magistrate directed the police to register FIR against Laxminarayan, Avinash and Shanti Kumar, hold investigation and submit report.

2. As the Magistrate, at that stage, did not direct registration of offence against remaining accused proposed by the complainant in his complaint, a revision was preferred which has been dismissed giving rise to this petition.

3. At this stage, when the Magistrate has directed registration of offence only against certain proposed accused and no orders have been passed in respect of other persons which is alleged to be involved, I am not inclined to invoke my jurisdiction under Section 482 CrP.C.. After receipt of report, the petitioner may press his application under Section 156(3) of Cr.P.C. as complaint before the concerned Magistrate and the Magistrate, in such case, would be obliged to record the preliminary statement of the complainant and any other witness proposed to be alleged by him and then take a decision whether or not to take cognizance of the alleged commission of offence against remaining persons.

4. The petition is accordingly disposed off.

(Manindra Mohan Shrivastava)
Judge