

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**W.P.(CR) No. 579 of 2018**

Vishwaroop Padhi, S/o. Abhay Kumar Padhi, Aged About 38 Years, R/o. A-502, Shrinand Nagar, 05, Veeralpur, Ahamdabad, Gujarat, Through His Power Of Attorney Holder Manoj Deo, S/o. Late P.C. Deo, Aged About 50 Years, R/o. Rajbada, Sukma, Tahsil & District- Sukma, Chhattisgarh.

**---- Petitioner**

**Versus**

1. State Of Chhattisgarh, Through The Secretary, Department Of Home, Mahanadi Bhawan, Mantralaya, Atal Nagar, District- Raipur, Chhattisgarh.
2. Superintendent Of Police, Sukma, District- Sukma, Chhattisgarh.
3. The Station House Officer, Sukma, District- Sukma, Chhattisgarh.
4. Kumar Jaidev, S/o. Laxminarayan Deo, Aged About 58 Years, R/o. Nagar Panchayat Sukma, Tahsil & District- Sukma, Chhattisgarh.
5. Sangram Singh, S/o. Late Harsh Deo, Aged About 29 Years, R/o. Rang Raj Bhavan, Main Road Sukma, Tahsil & District- Sukma, Chhattisgarh.
6. Rajesh Nandani Dev, Wd/o. Late Harsh Deo, R/o. Rangaraj Bhavan, Sukma, Tahsil & District- Sukma, Chhattisgarh.
7. Kailash Jain, Notary Sukma, Tahsil & District- Sukma, Chhattisgarh.

**---- Respondents**

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 For Petitioner : Mr. Rajnish Singh Baghel, Advocate  
 For State : Mr. Ravindra Agrawal, Govt. Advocate  
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**Hon'ble Shri Justice Goutam Bhaduri**

**Order On Board**

**06.10.2018**

Heard

1. The instant petition has been filed seeking direction to the police authorities to register an FIR on the basis of the complaint dated 05.02.2018 (Annexure P-6).
2. It is alleged that the petitioner who owned joint land with the respondent No.5 & 6, certain teakwood tree fell into it and with the permission of the Government, the said teakwood was subject of sale wherein the respondent No.5 & 6 in connivance with each other forged the signature of the petitioner on a consent deed dated 25.06.2013 and withdrew the amount of Rs. 33,60,497/- on

the basis of the said consent deed. It is contended that when the report was made vide Annexure P-6, the police has completely dormant and nothing has transpired, therefore, since the cognizable offence has been committed, the FIR should have been registered and the matter should have been investigated.

3. Perused the complaint Annexure P-6, which is addressed to the Station House Officer, Police Station- Sukma dated 05.02.2018 wherein the petitioner has alleged that his signature was forged and was notrised and thereafter on the basis of the forged signature in the consent letter, the money was withdrawn. Prima facie, it appears that cognizable offence has been reported.
4. 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 in accordance with law. It is further made clear 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 on the basis of the evidence available to him.
5. With such observation, the petition stands disposed of.