

HIGH COURT OF CHHATTISGARH, BILASPUR**WP (Cr) No.127 of 2015**

Jagdish Prasad Jatwar, Aged about 59 years, S/o :- Late Chinta Ram, Cast – Satnami, R/o:- Village – Lamkena, Tahsil & P.S. - Kota, Civil & Revenue District – Bilaspur (CG)

---- Petitioner

Versus

1. State of Chhattisgarh, through Department of Home (Police), Mantralaya-Naya Raipur, Distt:- Raipur (CG)
2. State of Chhattisgarh Inspector General of Police, Range-Bilaspur, District Bilaspur (CG)
3. State of Chhattisgarh, Superintendent of Police, Bilaspur, Distt: Bilaspur (CG)
4. State of Chhattisgarh, Through:- S.H.O. - Kota, P.S. Kota, Distt:- Bilaspur (CG)
5. Jetu Sahu, Aged about 50 years, S/o:- Latel Ram
6. Mohan Sahu, Aged about 18 years, S/o:- Jetu Ram
7. Ganesh Ram Sahu, Age 27 years, S/o:- Munshi Ram
8. Shivdayal Sahu, Aged about 22 years, S/o:-Jetu Ram
9. Ram Dayal Sahu, Aged about 26 years, S/o:- Jetu Ram

All were the resident of Village Lamkena, P.S. & Tahsil:- Kota, Civil & Revenue District Bilaspur

---Respondents

For Petitioner : Mr.Hemant Gupta, Advocate
 For State/Respondents No.1 to 4: Mr.Ravi Kumar Bhagat, Dy.G.A.

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

03/04/2019

1. The petitioner has filed this writ petition seeking direction to respondents No.1 to 4 to register F.I.R. against respondents No.5 to 9 stating inter-alia that his son Laxminarayan Jatwar (since deceased) was brutally beaten by respondent No.5 to 9 on 6.4.2015, he was also threatened and thereafter he committed suicide by hanging on the same night, as such, respondents No.5 to 9 are responsible and the police is not registering F.I.R. against them.

2. Respondents No.1 to 4/State filed their return stating inter-alia that statements of mother-Rajkumari Bai, father-Jagdish Prasad Jatwar (petitioner herein), wife-Anjana Jatwar and residents of that place have been taken and no cognizable offence has been found to be committed as the deceased was using to drink liquor and it is the case of suicide, therefore, no cognizable offence is made out.
3. I have heard learned counsel for the parties at length and considered their rival submissions and went through the record with utmost circumspection.
4. Pursuant to the direction given by this Court, the police has also inquired into the matter and statements of mother-Rajkumari Bai, father-Jagdish Prasad Jatwar (petitioner herein), wife-Anjana Jatear and residents of that place have been recorded, but no material has been found for taking cognizance against respondents No.5 to 9. Even on the recommendation of the Sub-Divisional Officer (Police), the matter has been closed finding no merit, as such, I do not find any ground to interfere with the said report at this stage. However, the petitioner is at liberty to file complaint (if any) in accordance with law before the jurisdictional criminal Court.
5. With the aforesaid observation, the writ petition finally stands disposed of.

Sd/-

(Sanjay K. Agrawal)
JUDGE