

HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(CR) No. 33 of 2019

Dhalendra Kumar Swarnkar, S/o. Surendra Kumar, Aged About 33 Years,
R/o. Pakariya, District Janjgir - Champa Chhattisgarh.Complainant

---- Petitioner

Versus

1. State Of Chhattisgarh, Through Secretary, Department Of Home Affairs (Police), New Raipur, Mantralaya, Civil & Revenue District Raipur Chhattisgarh.
2. Director General Of Police Raipur, District Raipur, Chhattisgarh.
3. Inspector General Of Police, Range Janjgir-Champa, District Janjgir – Champa, Chhattisgarh.
4. Superintendent Of Police, Janjgir - Champa, Civil & Revenue District - Janjgir – Champa, Chhattisgarh.
5. Commissioner, Janjgir-Champa Division, District Janjgir - Champa, Chhattisgarh.
6. District Magistrate, Janjgir- Champa, Civil & Revenue District - Janjgir – Champa, Chhattisgarh.
7. Station House Officer, Police Station Shivrinarayan, Civil & Revenue District - Janjgir – Champa, Chhattisgarh.
8. Ganesh Chouhan, Aged About 42 Years, Sarpanch, Village Panchayat Pakariya, Thana Shivrinarayan, District Janjgir Champa, Chhattisgarh.
.....Accused
9. Ramesh Chauhan, Aged About 40 Years, Kotwar, Village Panchayat Pakariya, Thana Shivrinarayan, District Janjgir Champa, Chhattisgarh.
10. Shyamnarayan Nagesh, Aged About 35 Years, Secretary Village Panchayat Pakariya, Police Station Shivrinayan, District Janjgir Champa, Chhattisgarh.

---- Respondents

For Petitioner : Mr. Punit Ruparel, Advocate

For State : Mr. Chandresh Shrivastava, Dy. A.G.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

11.03.2019

Heard

1. This petition is filed for the reason that the complaint which has been sent to the Superintendent of Police, Janjgir-Champa & Station House Officer, Champa, District Janjgir-Champa has not

been registered by Annexure P-1, which was sent by registered post.

2. Learned counsel for the petitioner would submit that different complaints were made, however, the same was not registered.
3. State counsel was directed to enquire into the matter as to whether such complaint was made or not ? It has been contended by the State counsel, on instruction, that the complainant has also filed another complaint with the police and when in order to enquire the same, he was called upon, he stated that he has not made any complaint.
4. The petitioner who is present in person along-with his counsel submits that in certain blank papers, the signatures were obtained.
5. Be that as it may, perusal of Annexure P-1 shows that cognizable offence was reported, therefore, as per the law laid down in case of ***Lalita Kumari v. Government of Uttar Pradesh and Others (2014) 2 SCC 1*** since the cognizable offence is reported, the concerned police is directed to register the FIR and make enquiry. The police shall also be at liberty to make enquiry of the earlier complaint with respect to the same issue and shall also be entitled to enquire the past antecedent of the petitioner too.
6. With such observation, the petition stands disposed off.