

HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(CR) No. 90 of 2019

Smt. Ganga Devi Bais, W/o. Late Natthu Singh Jalam Singh Bais, Aged About 71 Years, R/o. 147, In Front Of Garden, Shikshak Nagar, Durg Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh, Through Secretary, Department Of Home Affairs, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur, Chhattisgarh.
2. Superintendent Of Police, Office Of Superintendent Of Police, Durg, Chhattisgarh.
3. Shailendra Singh Bais, S/o. Late Natthu Singh Jalam Singh Bais, Aged About 51 Years, R/o. Brigade Alta Mount B- 602, Narayan Cross Road, Kothanpur, Hennur Road, Bengaluru 560077 Karnataka
Office Address Senior Operation Readiness Engineer, Shell India Markets Pvt.Ltd. IV Floor IMZ Centennial Building No. 8B, Kundlahaal, Main Road Mahadevpura, Bengluru 560048 Karnataka
4. Nitish Chandrakar, S/o. Shri Narayan Chandrakar, R/o. Aadarsh Nagar, Durg, Chhattisgarh.
5. Smt. Savita Thakur, W/o. Shri Dharmendra Kumar Thakur, R/o. MIG C – 456, Padmanabhpur, Durg, Chhattisgarh.
6. Shri Dharmendra Kumar Thakur, S/o. Late Mohan Singh Thakur, R/o. MIG C-456 Padmanabhpur, Durg, Chhattisgarh.
7. Estate Manger, Chhattisgarh Housing Board, Division Durg, Padmanabhpur, Durg, Chhattisgarh
8. Shri Ramesh Tiwari, Notary, District Court, Durg, Chhattisgarh.

---- Respondents

For Petitioner : Mr. Rahul Tamaskar, Advocate
For State : Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

18.02.2019

Heard

1. Learned counsel for the petitioner submits that the petitioner is mother of the respondent No.3 and the respondent No.3 on the basis of false consent letter has sold out certain properties wherein the ownership right of the petitioner was also existed. It is submitted that despite the report was made to the police, no

cognizance has been taken and the petitioner has been thrown out of the house. He further submits that under the circumstances, since the cognizable offence is reported, the police was under obligation to register the FIR.

2. Perused the report Annexure P-2. Prima facie, it appears that the cognizable offence was reported against the respondent No.3. Therefore, without any observation on merit, taking into the nature of the complaint, it is directed that since the cognizable offence is reported, the concerned S.H.O. shall register the FIR and complete the investigation within a reasonable time as per the law laid down in case of ***Lalita Kumari v. Government of Uttar Pradesh and Others (2014) 2 SCC 1.***
3. With such observation, the petition stands disposed off.

Ashok

Sd/-
(Goutam Bhaduri)
Judge