

HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(CR) No. 116 of 2019

Ramavtar Gurudwan, S/o. Late Vyas Narayan Gurudwan, Aged About 63 Years, R/o. Village And Post -Hardi Bazar, Police Station- Chowki-Hardibazar, Tahsil Pali, District Korba, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh, Through Superintendent Of Police, Korba, District Korba, Chhattisgarh
2. City Superintendent Of Police, Darri, District Korba, Chhattisgarh
3. Station House Officer, Police Chowki Hardi Bazar, District Korba Chhattisgarh
4. S.E.C.L. Through Managing Director, Deepika Area, District Korba, Chhattisgarh
5. Shivcharan Prasad Rathore, S/o. Samaru Ram Rathore, R/o. Utarda (Nawadih), Tahsil Pali, P.S. (Chowki), Hardibazar, District Korba, Chhattisgarh

---- Respondents

 For Petitioner : Mr. Awadh Tripathi, Advocate
 For State : Mr. Chandresh Shrivastava, Dy. A.G.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

26.02.2019

Heard

1. The present petition is against the non-registration of the FIR on the ground that the respondent No.5 has obtained the job in SECL on the basis of the fraud played.
2. It is stated that on a report made to the Collector, an enquiry was conducted by the S.D.O. and the S.D.O. came to a conclusion that fraud has been played to obtain the job. However, despite the report to the police of cognizable offence, nothing has been transpired and FIR has not been registered.
3. Perused the documents addressed to the police on 26.02.2018. Prima facie, it appears that the cognizable offence was said to

have been committed, therefore, following the principles 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 police is bound to register the FIR. The petitioner, therefore, if so advised, may file the proper complaint before the concerned Police Station and in such case the police may register the FIR and complete investigation within a reasonable time in accordance with law.

4. With such observation, the petition stands disposed off.

Ashok

Sd/-
(Goutam Bhaduri)
Judge