

HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(CR) No. 121 of 2019

Satwant Kaur, W/o. Amar Pal Singh, Aged About 48 Years, R/o. D/12, C.H.P.L. Dream Home Smriti Nagar, Bhilai, Tahsil And District Durg, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh, Through The Secretary, Home (Police) Department, Mahanadi Bhawan, Mantralaya, New Raipur, Chhattisgarh.
2. The Superintendent Of Police, District Durg, Chhattisgarh.
3. The Station House Officer, Police Station Utai, District Durg, Chhattisgarh.

---- Respondents

 For Petitioner : Mr. Basant Dewangan, Advocate
 For State : Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

27.02.2019

Heard

1. The present petition is to register the FIR against the accused by the respondent No.3, S.H.O. Police Station- Utai, District Durg (C.G.).
2. It is stated that the petitioner has entered into an agreement of sale of Khasra No.703, admeasuring 036 hectare situated at village Umarpodi, Tahsil & District Durg and on different point of time he has paid an amount of Rs.9 Lakhs to the accused Arun Kumar Yadav. Subsequently, Arun Kumar Yadav did not execute the sale and defrauded the petitioner, therefore, on a report being made a crime under Section 420 of I.P.C. was registered. It is stated that during the pendency of the investigation, one document was produced by the accused showing that the alleged amount has already been returned and the account has been settled and the said document which was produced bears the

forged signature of the petitioner, therefore, the FIR should have been registered.

3. Perused the document. Taking into totality of the case, it appears that already the FIR has been registered under Section 420 of I.P.C. Without observing the merit on that, if the petitioner is still aggrieved, he may file necessary complaint before the competent Court or may apprise the I.O. who is investigating the crime. The High Court cannot be rendered to be an enquiry officer so as to usurp the power of I.O. in a crime of individual. The petition is completely misconceived and accordingly is dismissed.

Ashok

Sd/-
(Goutam Bhaduri)
Judge