

HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(CR) No. 129 of 2019

Shakuntala Bai, W/o. Shri Lalit Jaskar, Aged About 30 Years, R/o. Village Kotgarh, Police Station Akaltara, District Janjgir Champa, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh, Through Its Principal Secretary, Department Of Home, D.K.S. Bhawan, Mantralaya, Raipur, District Raipur, Chhattisgarh.
2. Superintendent Of Police Janjgir, District Janjgir Champa Chhattisgarh.
3. Station House Officer (S.H.O.) Akaltara, District Janjgir Champa Chhattisgarh.
4. Anil Shrivastava, Aged About 45 Years, Posted As Excise Inspector Akaltara, District Janjgir Champa Chhattisgarh.
5. Suresh Yadav, Aged About 32 Years, Posted As Constable In Excise Department Akaltara, District Janjgir Champa, Chhattisgarh.

---- Respondents

 For Petitioner : Mr. Sumit Singh, Advocate
 For State : Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

28.02.2019

Heard

1. By way of the present petition, it is contended that the petitioner who is a lady was subject of assault to the allegation of selling liquor by few of the respondents, therefore, cognizable offence has been committed.
2. It is stated that the report was initially given to the S.H.O. Akaltara by Annexure P-2 and when it was not being accepted, the same was given to the Superintendent of Police, Janjgir on 03.12.2018 but till date the FIR has not been registered.
3. Perused the documents Annexure P-2 & P-3 wherein the petitioner has made complaint to the S.H.O. Akaltara & S.P. Janjgir. Prima facie, it shows that cognizable offence is reported.

Considering the same, without going into the merits of the case, in view of the law laid down by the Supreme Court in case of ***Lalita Kumari v. Government of Uttar Pradesh and Others*** (2014) 2 SCC 1, since the cognizable offence has been reported, the concerned Police is directed to register the FIR and complete the investigation at the earliest. It is further made clear that this Court has not observed anything on merit of this case and the police officer shall free to investigate the matter without any influence.

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

Ashok

Sd/-
(**Goutam Bhaduri**)
Judge