

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

WPCR No. 150 of 2019

Vinay Sidar S/o Hemlal Sidar Aged About 18 Years Caste - Gond, R/o Binjkot, Police Station Chakradhar Nagar, Tahsil And District - Raigarh Chhattisgarh. --- **Petitioner**

Versus

1. State of Chhattisgarh through Secretary, Department of Home & Police Affairs, Mahanadi Bhawan, New Mantralaya, Atal Nagar, District - Raipur District : Raipur, Chhattisgarh
2. The Superintendent of Police Raigarh, District - Raigarh Chhattisgarh.
3. The In-Charge Officer Police Station Azak, Raigarh, District - Raigarh District : Raigarh, Chhattisgarh
4. Narendra Juneja Proprietor Sai Shraddha Hotel, Tahsil & District - Raigarh Chhattisgarh., District : Raigarh, Chhattisgarh --- **Respondents**

07.03.2019	Mr. Vineet Pandey, counsel for the petitioner. Mr. Ghanshyam Patel, Govt. Advocate for the State. (1) The present petition is filed against non-registration of the FIR despite the report made by the petitioner that cognizable offence has been committed by respondent No.4. (2) It is alleged that petitioner was abused and assaulted by respondent no.4 and was also forced to sign a blank paper so as to create a forged documents. It is contended that a report was filed by the petitioner that cognizable offence was committed by respondent no.4, but the police has not registered the FIR. (3) Perused the report dated 27.11.2018 (Annexure P-1) and subsequent report dated 11.01.2019 (Annexure P-2). Prima facie reading of Annexures P-1 & P-2 would reveal that a cognizable offence is made out. (4) As per the principles laid down by the Supreme Court in	

R a o	<i>Lalita Kumari v. Government of Uttar Pradesh (2014) 2 SCC 1</i>, when the cognizable offence is reported, the police shall be obliged to register the offence and investigate into the matter. Consequently the respondent Police Authorities are directed to register the FIR and conduct investigation independently by following the procedure laid down in Cr.P.C. (5) With the above observation/direction, this petition is disposed of. Sd/- GOUTAM BHADURI JUDGE
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