

HIGH COURT OF CHHATTISGARH, BILASPUR**WPCR No. 156 of 2019**

Nagesh Chandra @ Narendra Mahout, S/o. Chandulal Mahout, Aged About 40 Years, R/o. Cheap House, Godripara, Chirmiri, Distt. Koriya Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh, Through The Secretary, Department Of Home Affairs (Police), Mantralaya, Mahanandi Bhawan, New Raipur, Civil And Revenue District Raipur Chhattisgarh
2. Director General Of Police, Raipur, District Raipur, Chhattisgarh
3. Inspector General Of Police, Range Surguja, District Ambikapur, Chhattisgarh
4. Superintendent Of Police, Koriya, Civil And Revenue District Koriya Chhattisgarh.
5. District Magistrate, Koriya, Civil And Revenue District Koriya Chhattisgarh
6. Station House Officer, Police Station Chirmiri, District Koriya Chhattisgarh
7. Smt. Shyam Bai, W/o. Dauram Sendre, Aged About 50 Years, R/o. Ward No. 31, Cheap House Godripara, Police Station Chirmiri, District Koriya Chhattisgarh
8. Shamim Farzana, W/o. Jalaluddin Ansari, Aged About 45 Years, R/o. Nayapara Near Community Building, Sirgitti, Bilaspur District Bilaspur Chhattisgarh
9. Smt. Shajmin Khan, W/o. Shamshad Khan @ Sonu, Aged About 28 Years, R/o. Railway Colony, Jhopdapara, Near Marhi Mai Temple, Sirgitti, Bilaspur District Bilaspur Chhattisgarh
10. Mohd. Shamshad Khan @ Sonu, S/o. Munna, Aged About 30 Years, R/o. Railway Colony, Jhopdapara, Near Marhi Mai Temple, Sirgitti, Bilaspur District Bilaspur Chhattisgarh
11. Mohd. Tasharak Hussain, Aged About 45 Years, R/o. Nayapara Near Community Building, Sirgitti, Bilaspur District Bilaspur Chhattisgarh

---- Respondents

For Petitioner : Mr. Punit Ruparel, Advocate

For Respondents/State : Ms. Shivali Dubey, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

12.03.2019

Heard.

1. The present petition is for non-registration of the FIR against the respondents No.7 to 11.

2. It is stated that few of the persons entered into the house and forcefully took away the wife of the petitioner as also the cash as they were not happy with the marriage. It is stated that Annexure P-1 discloses the cognizable offence and despite report was received by the police, the FIR has not been registered. It is further stated that the incident has been done by the Shamim Farzana, wife of Jalaluddin Ansari and few other persons as they were pressuring the petitioner to break the marriage.
3. Perused the report. Considering the contents of it, it appears that the cognizable offence has been 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.

Sd/-
Goutam Bhaduri
Judge