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HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (Cr.) No. 343 of 2019**

Smt. Damyanti Choudhari Wd/o Late Jitram Choudhari Aged About 36 Years
R/o Village Kranpali P.S. And Tahsil Baramkela, District- Raigarh,
Chhattisgarh., District : Raigarh, Chhattisgarh.

---- Petitioner**Versus**

1. Central Bureau Of Investigation VIP Road, Raipur, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
2. State Of Chhattisgarh Through The Secretary, Home Department, Mahanadi Bhawan, Mantralaya, Atal Nagar, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
3. The Director General Of Police, Police Head Quarter, Raipur, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
4. The Superintendent Of Police Raigarh, District- Raigarh, Chhattisgarh., District : Raigarh, Chhattisgarh
5. Station House Officer Police Station Baramkela, District- Raigarh, Chhattisgarh., District : Raigarh, Chhattisgarh

---- Respondents

For the Petitioner : Shri Kamal Kishore Patel, Advocate.
For the Respondents/State : Shri Lav Sharma, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****09.07.2019**

Heard.

1. This petition has been brought under Article 226 of the Constitution of India praying for issuance of appropriate writ.
2. It is submitted by counsel for the petitioner that on the basis of the FIR lodged by Ramkrishna Choudhary, the case has been investigated and the charge-sheet has been filed against the accused persons, namely, Yashwant

Yadav, Umesh Kumar Patel, Kunj Bihari and Dinesh Sahu . The petitioner is wife of Jeetram Choudhary. She has learnt that the police has not fairly investigated the case and her statement under Section 161 of the Cr.P.C. has also not been recorded according to the statement made by her, therefore, she made a complaint to the Prime Minister of India and the Chief Minister of the State indicating the lapses in the investigation. Hence, it is prayed that the case be admitted for final hearing and for issuance of appropriate directions.

3. Learned State counsel opposes the petition and submits that the FIR lodged in this case has been thoroughly investigated and on completion of investigation, the charge-sheet has been filed. The petitioner is at liberty to make a prayer for additional investigation therefore, the petition is not maintainable.

4. Heard counsel for both the parties and perused the documents.

5. After considering the submissions made by both the parties and also perusing the documents filed alongwith the petition, I am of this opinion that to address the grievances of the petitioner, respondents No.4 and 5 can be directed to make an additional investigation as it is permissible under Section 173(8) of the Cr.P.C. on the points which are mentioned in the complaint given to the Prime Minister of India and the Chief Minister of the State. Therefore, this petition is disposed off with the directions:

'Respondents No.4 and 5 are directed to make an additional investigation in the case on the points mentioned in the

complaint made to the Prime Minister of India and the Chief Minister of the State as far as it is practicable and possible.'

6. Accordingly, the petition is disposed off.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Nimmi