

NAFR

HIGH COURT OF CHHATTISGARH, BILASPURCRMP No. 1438 of 2019

1. Santosh Gupta S/o Shri A.P. Gupta Aged About 50 Years
Personnel Manager, Nav Bharat Press, Police Station
Tarbahar, Tehsil And District Bilaspur Chhattisgarh.

---- Petitioner

Versus

1. Inspector General Of Police Surguja Range, District Surguja
Chhattisgarh.
2. State Of Chhattisgarh Through The Station House Officer,
Police Station Manendragarh, District Korea Chhattisgarh.

---- Respondent

For Petitioner

Shri Ashish Shukla, Advocate

For Respondent/State

Shri Sanjay Agrawal, Govt. Advocate

Order On BoardByPrashant Kumar Mishra, J.26/06/2019

1. Petitioner being a Personnel Manager, Nav Bharat Press, Bilaspur, has filed this petition alleging inaction by the concerned police who is not investigating the complaint despite the fact that the same discloses a cognizable offence. Petitioner would submit that the concerned individual has collected a sum of Rs.4,31,985/-, but has not deposited the same with the Nav Bharat Press and has, thus, committed

offence of criminal breach of trust by an agent, which is punishable under Section 409 of the Indian Penal Code (for brevity 'the IPC').

2. At this juncture, learned counsel appearing for the State would submit that Annexure – P/1 would clearly indicate that the petitioner has lodged a complaint before the Inspector General of Police without moving the concerned police as per the provisions of Section 154 of the Code of Criminal Procedure.
3. This Court is convinced with the submission made by the learned State counsel. The petitioner should have approached the concerned Police lodging FIR [First Information Report] against the person who has committed the alleged offence under Section 409 of the IPC,
4. In view of the above, the instant petition is disposed of with direction that in the event the petitioner moves before the concerned police with a complaint/FIR the same shall be investigated by the concerned police, in accordance with law.

Sd/-

Judge
Prashant Kumar Mishra

Gowri