

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPS No. 4908 of 2019

Anand Ram S/o Late Shri Nawaram Aged About 61 Years Presently Posted
As Station House Officer, Police Station Pathariya, District- Mungeli,
Chhattisgarh, District : Mungeli, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Government Of Chhattisgarh,
Department Of Home (Police), Mantralaya, Mahanadi Bhawan, Atal Nagar,
Chhattisgarh, District : Raipur, Chhattisgarh
2. Director General Of Police, Chhattisgarh Police Headquarters, Raipur,
Chhattisgarh, District : Raipur, Chhattisgarh
3. Inspector General Of Police (Administration), Police Headquarters, Raipur,
Chhattisgarh, District : Raipur, Chhattisgarh
4. Superintendent Of Police, District- Koriya, Chhattisgarh, District : Koriya
(Baikunthpur), Chhattisgarh
5. Superintendent Of Police, District Mungeli, Chhattisgarh, District : Mungeli,
Chhattisgarh
6. Additional Superintendent Of Police, District Koriya, Chhattisgarh, District :
Koriya (Baikunthpur), Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Dhiraj Wankhede, Advocate
For State	:	Mr. Chandresh Shrivastava, Dy. AG

Hon'ble Shri Justice P. Sam Koshy

Order on Board

04/07/2019

1. The counsel for the petitioner challenges the order Annexure P-1
whereby it has been directed to take legal action in consultation with
the Deputy Director Public Prosecution, Baikunthpur.
2. The contention of the petitioner is that subsequently he has been
issued with two letters dated 15.02.2019 & 02.04.2019 asking the

petitioner to appear before authorities for recording his statement for preliminary enquiry. Counsel for the petitioner tried to argue the fact that petitioner infact has been falsely implicated in the case and that all that has been done by the petitioner is purely in accordance with the provisions of the Cr.P.C. and that there is no violation which would be evident from the contents of the charge-sheet itself.

3. Be that as it may, this Court at this juncture is of the opinion that the petition as of now too premature to be entertained by this Court under Article 226. Though the contention which the petitioner has raised in the petition infact is an explanation to the notice issued by the department.
4. This Court has no reason to believe as to why the explanation provided by the petitioner would not be considered by the authorities in the department who have issued him the notice.
5. Reserving the right of the petitioner to apprise the authority by way of giving detailed statement, enabling the authorities concerned to proceed further in accordance with law. The petitioner would also be at liberty to apprise the authorities in the department so far as the correspondences that the petitioner had made in course of investigating the said offence No. 16/2017 at Police Station, Baikunthpur, the writ petition accordingly stands disposed off.

Sd/-
(P. Sam Koshy)
Judge