

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(CR.) No. 438 of 2019

1. Pawan Kumar Sahu, S/o. Jagdish Ram Sahu, Aged About 29 Years,
2. Smt. Ravati Bai Sahu, W/o. Shri Jagdish Sahu, Aged About 29 Years
3. Smt. Laxmi Bai Sahu, W/o. Khileshwar Sahu, Aged About 26 Years,
4. Khileshwar Sahu, S/o. Jagdish Ram Sahu, Aged About 30 Years

All are R/o. Village Fagundah, Tahsil -Gurur, District -Balod (C.G.).
Presently at Ambedkar Chowk, Dhamtari, Tahsil and District- Dhamtari,
Chhattisgarh.

---- Petitioners

Versus

1. State of Chhattisgarh, Through : The Station House Officer, Police Station - Arjuni, District- Dhamtari, Chhattisgarh.
2. Smt. Doleshwari, W/o. Shri Pawan Kumar Sahu, D/o. Late Trilochan Sahu, R/o. Village Fagundah, Tahsil- Gurur, District- Balod. Presently at Village- Puri, Post Gopalpuri, Tahsil and District- Dhamtari, Chhattisgarh.

-----Respondents

For Petitioners	: Ms. Supriya Upasane, Advocate
For Respondents/State	: Mr. Devendra Pratap Singh, Dy.A.G.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

18/07/2019

1. This petition under Article 226 of Constitution of India has been filed praying for issuance of appropriate direction.
2. It is submitted by the learned counsel for the petitioners that respondent No.2 has lodged one FIR against the petitioners on 16.05.2019, in Police Station - Arjuni, District – Dhamtari, which has been registered as Crime No.107/2019 for offence under Section 498-A read with Section 34 of the Indian Penal Code. After about a month, the respondent No.2 has again lodged the FIR against the petitioners in Police Station – Gurur, District – Balod, which has been registered as Crime No.143/2019 for the commission of same offence, therefore, only one of the FIR can be investigated in this case, regarding which direction is prayed for.
3. It is further informed by the learned counsel for the petitioners that charge-sheet has already been filed with respect to the crime No.107/2019, registered in Police Station – Arjuni, District – Dhamtari.
4. State counsel has sought instructions and submits that both the FIRs are related to the same incident and same grievances of the respondent No.2.
5. I have heard the learned counsel for both the parties and perused the documents filed along with the petition.

6. After due consideration, I feel inclined to dispose off this petition with a direction. The respondent No.1 is directed to merge the FIR No.143/2019, registered in Police Station – Guru, District – Balod, which is subsequently lodged FIR with the FIR lodged in Police Station – Arjuni as Crime No.107/2019 for the same incident, regarding which investigation has been completed and charge-sheet has been filed. This implies that there is no need to investigate in the subsequently lodged FIR.
7. Accordingly, the petition is disposed off.

Sd/-
(Rajendra Chandra Singh Samant)
Judge