

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**W.P.(Cr.) No. 411 of 2019**

- Wali Ullah S/o Mohd. Salim, Aged About 60 Years, R/o LIG 149, Shivaji Nagar, Korba, Civil And Revenue, District- Korba, Chhattisgarh

**---- Petitioner**

***Versus***

1. State Of Chhattisgarh Through The Secretary, Department Of Home Affairs (Police), New Raipur Mantralaya, New Raipur, Civil And Revenue District- Raipur, Chhattisgarh
2. Director General Of Police Raipur, District- Raipur, Chhattisgarh
3. Inspector General Of Police Range Korba, District- Korba, Chhattisgarh
4. Superintendent Of Police Korba, Civil And Revenue District- Korba, Chhattisgarh
5. District Magistrate Korba, Civil And Revenue District- Korba, Chhattisgarh
6. Station House Officer Police Station City Kotwali, District- Korba, Chhattisgarh
7. Gulam Farukh Khan S/o Late Iftikhar Ahmad, Aged About 64 Years R/o Gokul Nagar, Khamora, Police Station Balco Nagar, District- Korba, Chhattisgarh
8. Imran Khan S/o Shri G.F. Khan Aged About 32 Years R/o Gokul Nagar, Khamora, Police Station Balco Nagar, District- Korba, Chhattisgarh

**---- Respondents**

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For Petitioner : Mr. Punit Ruparel, Advocate.

For State/respondent Nos.1 to 6 : Mr. Ghanshyam Patel, G.A.

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

**Order on Board**

**05-07-2019**

Heard on admission.

1. The prayer is made for issuance of appropriate writ.
2. Learned counsel for the petitioner submits that in the complaint filed by

the petitioner, no inquiry has been made and even then, the notice under Section 155 Cr.P.C. had been issued. The police has erroneously conducted this inquiry and given this report. Therefore, it is prayed that appropriate direction be issued.

3. Learned counsel for the State opposes the application and submits that after due inquiry, the police officer has submitted report and the notice under Section 155 of Cr.P.C. has been issued. Therefore, this petition is not maintainable.
4. Heard learned counsel for the parties and perused the documents.
5. After considering the fact that the petitioner has now option to approach the Criminal Court for making a prayer under Section 156(3) of Cr.P.C. or for filing a complaint under Section 200 of Cr.P.C., therefore, I do not find this petition as maintainable.
6. Accordingly, the petition is disposed off at the motion stage.

**Sd/-**  
**(Rajendra Chandra Singh Samant)**  
Judge