

HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(Cr.) No. 448 of 2019

- Haji Mir Qadir Ali S/o Mir Zakir Ali, Aged About 68 Years Mutwalli Of Hazrat Fateh Shah Masjid And Mazar Trust Committee, Police Line, Tikrapara, Raipur, District- Raipur, Chhattisgarh, R/o Tikra Para, Post And Tehsil- Raipur, Police Station Cit Kotwali, District- Raipur, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Home Affairs (Police) Mahanadi Bhawan, Naya Raipur, District- Raipur Chhattisgarh
2. Director General Of Police Raipur, District Raipur Chhattisgarh
3. Inspector General Of Police Raipur Range, District Raipur Chhattisgarh
4. Superintendent Of Police Raipur, District Raipur Chhattisgarh
5. Station House Officer Police Station City Kotwali, Raipur, District- Raipur, Chhattisgarh

---- Respondents

For Petitioner : Mr. Surfaraj Khan, Advocate.

For State/respondents : Mr. Aditya Sharma, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

11-07-2019

Heard.

1. This petition has been brought for praying for issuance of an appropriate writ and directions.
2. Learned counsel for the petitioner submits that the petitioner has lodged F.I.R. on 13.03.2015 which has been registered as crime No. 69 of 2015 at Police Station- City Kotwali, Raipur, for commission of offence under Sections 420, 467, 468, 471, 34 of the Indian Penal Code. It is also submitted that till date police has neither filed the charge-sheet nor has

filed the closure report as it was directed by the Court of Judicial Magistrate First Class, Raipur by order dated 10.03.2015. This is huge disobedience of the directions issued by the Court and the guidelines laid down by Supreme Court in ***Ram Lal Narang Vs. State (Delhi Administration)*** reported in ***(1979) 2 SCC 322***. Therefore, it is prayed that the case may be disposed off with appropriate direction.

3. Learned counsel for the State opposes the application.
4. Heard learned counsel for both the parties and perused the documents.
5. After considering the submissions made by both the parties and also perused the documents filed along with the petition, it appears that almost four years have passed since the lodging of F.I.R. and the police has not completed the investigation to file a report on either side. Therefore, under these circumstances, I feel inclined to dispose off this petition with following directions:-

(a) Respondent Nos. 4 & 5 are specifically directed to complete the investigation within two months from the date this order is communicated, and

(b) File final report of the same before the Court having jurisdiction.

6. Accordingly, this petition is disposed off.

Sd/-
(Rajendra Chandra Singh Samant)
Judge