

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No.1523 of 2018

1. Smt. Sudama Rajput W/o Gopal Singh Rajput, aged about 60 years.
2. Gopal Singh Rajput S/o Dhan Singh Rajput, aged about 65 years.
3. Dushyant Singh Rajput S/o Gopal Singh Rajput, aged about 30 years.
4. Kamlesh Singh S/o Gopal Singh Rajput, aged about 35 years.

All R/o Uslapur Colony near railway station, Mangla, P.S. Civil Lines, Bilaspur,
District Bilaspur (C.G.)

---- Petitioners

Versus

1. State of Chhattisgarh, through Station House Officer, Police Station Dipka,
District Korba (C.G.).
2. Superintendent of Police, Korba, District Korba (C.G.)

---- Respondents

For Petitioners : Shri Brijesh Singh, Advocate with Shri
Sushobhit Singh, Advocate

For Respondent/State: Shri V.A. Goverdhan, PL for the State.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

16/01/2019

1. Heard.
2. The present petition is for quashing the FIR dated 26.11.2017 bearing
No.174/2017 registered under Sections 3 & 4 of the Dowry Prohibition Act and
Section 498-A IPC.

3. Learned counsel for the petitioners submit that the petitioners are the mother-in-law, father-in-law, husband and brother-in-law of the deceased Vandala Rajput and the death of the deceased took place on 26.07.2014, who was suffering from heart disease and that was the cause of death and after three years of the death the FIR was lodged.
4. Perusal of the documents filed along with the petition shows that the petitioners were intimated for filing of the charge-sheet before the JMFC, Katghora on 21.12.2017. The FIR is dated 26.11.2017. The FIR do not show that prima facie the allegations under Sections 302 or 304 B IPC were made, whereby the submission of the learned counsel for the petitioners can be considered. Furthermore, if the investigation has already been completed as per the document of the petitioners itself and the petitioners were intimated on 21.12.2017 meaning thereby the I.O. has found prima facie offence was made out, therefore, the charge-sheet was to be filed. Considering the same, I do not find that any reason exist to quash the FIR.
5. This petition has no merit. It is accordingly dismissed.

Sd/-

Goutam Bhaduri
Judge

Ashu