

HIGH COURT OF CHHATTISGARH, BILASPUR**WPCR No. 439 of 2018**

- Premlata Singh W/o Late Shri Dharmendra Kumar Singh Aged About 36 Years
Caste Gond, R/o Village Chanderpur, P. S. And Tehsil Surajpur, Civil And
Revenue District Surajpur, Chhattisgarh

---- Petitioner**Versus**

1. State of Chhattisgarh Through Secretary, Department Of Home (Police),
Mahanadi Bhawan, Naya Raipur, Revenue And Civil District Raipur,
Chhattisgarh
2. Director General Of Police, Raipur, Revenue And Civil District Raipur,
Chhattisgarh
3. Superintendent Of Police, Surajpur, District Surajpur, Chhattisgarh
4. Station House Officer, Surajpur, District Surajpur, Chhattisgarh
5. City Superintendent Of Police, Surajpur, District Surajpur, Chhattisgarh

---- Respondents

For Petitioner : Shri Surfaraj Khan, Advocate

For Respondent/State : Shri Aditya Sharma, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****21/02/2019**

1. Heard.
2. Learned counsel for the petitioner submits that one Dharmendra Kumar Singh
died unnatural death on intervening night of 30th & 31st of May 2016. He further
submits that as per the report made by the petitioner the deceased was called
by Birbal and Fekuram to consume liquor. They thereafter went to one house of

Birbal and the next date his dead body was found outside the house of Birbal in suspicious condition, the postmortem was carried out and as per the FSL the deceased had consumed Ethyle Alcohol and Monochropotas which is a pesticide, therefore, the death in unnatural circumstances having been taken place the police was bound to investigate the same irrespective of the fact of the out come as to who is responsible for it.

3. Perused the FSL report dated 15/07/2016. The FSL report of the deceased shows that it contains the Ethyle Alcohol and Monochrotopas which is a pesticide. Under the circumstance the death do not appear to be natural irrespective of the fact that who is responsible and caused such death or it is self made, the police was bound to investigate the matter. The police cannot shirk its responsibility despite the fact of FSL report is on record. Therefore, in view of the law laid down in the matter of ***Lalita Kumari v. Government of Uttar Pradesh & others {(2014) 2 SCC 1}*** since the cognizable offence is registered the police is directed to register the FIR as per the Annexure P-1 lodged by the petitioner which was received by the Superintendent of Police Surajpur and thereafter investigate the same in accordance with the law.
4. With such observation, the petition stands disposed of.

Sd/-

Goutam Bhaduri
Judge

Ashu